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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(CRL) 3289/2019**

KAMAL TYAGI @ TINU Petitioner
Through: **Ms. Neha Kapoor, Advocate**

Versus

STATE Respondent
Through: **Mr.Sanjay Lao, Additional
Standing Counsel with SI Ajay
Kumar**

CORAM:
HON'BLEf MR. JUSTICE BRIJESH SETHI

ORDER
03.12.2019

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Petitioner is facing sentence for life in FIR No. 35/2005, registered at police station Mahipalpur, Delhi for committing offences under Sections 302/201/120B IPC. He is said to be in custody for more than 17 years.

Learned counsel for petitioner submits that petitioner was granted parole of four weeks on 16th September, 2019 for getting throat surgery of his wife done, but since petitioner's wife suffered third degree burns on 27th October, 2019, her surgery could not take place and since his application for extension of parole was not decided by the competent authorities, petitioner had surrendered on 18th November, 2019. Petitioner's counsel further submits that surgery of petitioner's wife is now scheduled for 5th December, 2019 and that petitioner's mother has

also been diagnosed with blood cancer and so, petitioner is seeking parole of three months to enable him to take care of his ailing wife and mother, therebeing no other male member in the family and two school going children.

Learned Additional Standing Counsel for respondent/State submits that factum of petitioner's wife's surgery and his mother suffering from cancer stands verified.

In view of the above, petitioner is directed to be released on parole for a period of four weeks on his executing personal bond in the sum of Rs.10,000/- with one surety in the like amount to the satisfaction of the Jail Superintendent, subject to following conditions:

- (i) The petitioner will not leave National Capital Territory of Delhi without prior permission of the Court;
- (ii) He will furnish to the Investigating Officer his mobile number and residential address where he will stay during the period of parole;
- (iii) He will report to the concerned Station House Officer (SHO) /Investigating Officer (IO), on every Monday;
- (iv) In case of any change in his residential address or the mobile number, he will inform the SHO/IO.

A copy of this order be sent to the concerned Jail Superintendent to ensure its compliance.

With aforesaid conditions, the petition stands disposed of.

Dasti.

BRIJESH SETHI, J

DECEMBER 03, 2019

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