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

+ **W.P.(CRL) 3302/2019**

VINAY KUMAR

..... Petitioner

Through Mr Anurag Jain, Advocate.

versus

STATE (GOVT. OF NCT OF DELHI)

..... Respondent

Through Mr Amarpreet Singh, Advocate for
Mr Rahul Mehra, Standing Counsel.
Insp. Man Mohan Kumar P.S. S. Rohilla
Mo No. 8750870388

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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02.12.2019

1. The petitioner has filed the present petition, *inter alia*, praying that the respondent be directed to release the petitioner on parole for a period of three months.
2. The petitioner states that he is required to be released on parole to take the examination of MSW/M.A. (Social Work) from the Indira Gandhi National Open University (IGNOU).
3. A status report has been filed which indicates that IGNOU had noted that the petitioner is serving a sentence in jail and has received his hall ticket allotting him the examination centre at 29039D (IGNOU SPECIAL STUDY CENTRE 29039D CENTRAL JAIL-10 ROHINI SECTOR-19 DELHI - 110089)
3. In the circumstances, the petitioner would now require to take the

examination at the said centre which is located in the jail. The petitioner is, thus, not required to be released on parole for the same.

4. The first examination paper is to be held on 03.12.2019 and the last paper is to be held on 17.12.2019. The learned counsel appearing for the petitioner states that after 17.12.2019, the petitioner would also require to undertake a practical training under the guidance of a field expert. He submits that field work of forty-five days is compulsory for completion of the said programme and requests that the petitioner be released on parole for undertaking the said practical training.

5. It is seen that the status report has not verified whether the petitioner is required to undertake any practical training.

6. The petitioner has served actual custody of sixteen years, nine months and nineteen days. He also earned remission of three years, eleven months and eighteen days. The nominal roll indicates that his conduct in jail is satisfactory. It is also seen that the petitioner has been released on furlough on seventeen occasions and has been released on parole on six occasions and there is no allegation that he has misused the liberty.

7. In view of the above, this Court directs the respondent to release the appellant on parole for a period of sixty days from the date of his release in order for the petitioner to complete his practical training. This is subject to the Petitioner's assertion that he is required to undertake the practical training being verified. This is also subject to the condition that if the petitioner is released, he shall undergo the said training programme without any absence.

8. The petitioner's release in terms of the above order shall be subject to the petitioner providing personal bond in the sum of ₹25,000/- and a surety

of the equivalent amount to the satisfaction of the concerned Jail Superintendent. In addition, the petitioner shall also provide his mobile number and ensure that he is reachable on it at all times.

9. The petition is disposed of in the aforesaid terms.

VIBHU BAKHRU, J

DECEMBER 02, 2019

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