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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(CRL) 327/2020, CRL.M.As. 9399-9400/2020

VIJAY KUMAR @ BABLOO

..... Petitioner

Through: Mr.Kumar Vaibhav, Mr.Pradyuman
Kaishtha, Advocates.

versus

STATE

..... Respondent

Through: Mr.Avinder Singh, ASC for State.

CORAM:

HON'BLE MR. JUSTICE YOGESH KHANNA

ORDER

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17.07.2020

1. The petitioner herein was convicted for offences under Section 302/394/397/34 IPC and was sentenced to life. As per the nominal rolls the petitioner has undergone nine years and three months in custody and now is seeking parole to maintain social ties and family relations and to curb the stress caused due to incarceration. The learned ASC for the State submits on earlier two occasions the petitioner was granted interim bail but he has surrendered late, as is shown in the nominal rolls dated 20.01.2020.

2. It is submitted Sub Rule IV of Rule 1210 of the Delhi Prisons Rules says for grant of parole *the convict should not have violated any terms and conditions of parole and furlough granted previously.*

3. It is submitted by the learned counsel for the petitioner there was a delay in surrender earlier because of the circumstances beyond his control. Even otherwise, it is submitted such conditions apply on grant of parole and furlough and not on the interim bail and that he

was on interim bail on both such occasions.

4. Considering the fact, the applicant is in custody since more than nine years, he is granted parole for a period of three weeks from the date of his release on his executing a personal bond Rs.10,000/- to the satisfaction of the Jail Superintendent/Duty MM. The surety of the like amount shall be furnished by the petitioner within a week of the learned Trial Court resuming its normal functioning. However, if the period of parole expires before the learned Trial Court starts/resumes its normal functioning and the applicant surrenders, then there shall be no need to furnish the surety before it. The petitioner is also directed to provide his contact number/address to the SHO of police station Ashok Vihar, Delhi as also he shall keep open his location application in his mobile at all time.

5. The petition stands disposed of in above terms. Pending application(s) also stands disposed of.

6. Copy of this order be sent electronically to the learned Trial Court / Jail Superintendent for compliance.

YOGESH KHANNA, J.

JULY 17, 2020

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