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

+ **W.P.(CRL) 496/2020**

SARWAN KUMAR

..... Petitioner

Through: Mr Dhruv Gupta and Mr Harshit
Gupta, Advocates.

versus

STATE

..... Respondent

Through: Mr Amit Peswani, Advocate for Ms
Nandita Rao, ASC (Crl.) for State
with SI Harkesh Meena, PS Tilak
Marg.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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18.02.2020

1. The petitioner has filed the present petition, *inter alia*, impugning an order dated 20.01.2020, rejecting the petitioner's application for parole. The impugned order indicates that the petitioner's application had been rejected in view of Rule 1211 of Delhi Prison Rules, 2018, which specifies that parole shall not be granted, except, if in the discretion of the competent authority, special circumstances exist for the grant of parole. This includes cases where a prisoner is convicted of multiple murderers.

2. In the present case, the petitioner was found guilty of committing murder of thirty-five persons. In view of the above, the concerned authority had rejected the petitioner's application for parole. The learned counsel appearing for the petitioner states that the petitioner's mother had expired

last year in the October and therefore, he requires to be released to perform certain religious ceremonies.

3. Considering that the petitioner's mother had expired almost four months ago, this Court does not consider existence of any special circumstances for release of the petitioner on parole. It is also seen that the petitioner has served very small fraction of his sentence; he has only served actual custody of one year one month and two days.

4. In the aforesaid circumstances, this Courts does not consider it apposite to interfere with the impugned order. The petition is, accordingly, dismissed.

FEBRUARY 18, 2020
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VIBHU BAKHRU, J