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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CrI.) 803/2020**

AMAR PAL Petitioner
Through: Mr. Siddharth Yadav, Advocate

versus

STATE (NCT OF DELHI) Respondent
Through: Ms. Nandita Rao, Addl. SC.

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

% **26.05.2020**

Hearing has been conducted through Video Conferencing.

This is a petition filed under Article 226 of the Constitution of India read with Section 482 Cr.P.C. for issuance of a writ directing the Respondent to grant parole to the Petitioner for a period of 90 days in order to file a Special Leave Petition against his conviction as also to fend for basic necessities for his family, who are in a state of penury. It is also averred in the application that his mother and wife have medical issues.

Status Report and Nominal Roll have been filed.

Learned counsel for the Petitioner submits that the Petitioner was acquitted by the Trial Court and was convicted by this Court on 09.12.2019 in FIR No. 560/2008 under Sections 376/506 IPC, P.S. Sangam Vihar. In the interregnum, Petitioner was throughout on bail and did not misuse the liberty granted to him.

Nominal Roll indicates that the Petitioner has already undergone 3 years 4 months and 5 days out of the sentence of 10 years of Rigorous

Imprisonment. Nominal Roll further indicates that the conduct of the Petitioner has been satisfactory in Jail.

I have heard learned counsel for the Petitioner as well as learned Additional Standing Counsel for the State and have perused the record.

In view of the above, Petitioner is released on parole for a period of six weeks from the date of his release, on his furnishing personal bond in the sum of Rs. 20,000/- to the satisfaction of the concerned Jail Superintendent.

In view of the Covid-19 Pandemic Resolution dated 07.04.2020 of the “High Powered Committee” and the consequent order of the Division Bench in W.P.(Crl.) No. 779/2020 titled as “Court of its own Motion vs. State”, the condition of furnishing a Surety Bond is dispensed with. The grant of parole will, however, be subject to further conditions as under:

- (i) Petitioner will not leave District Faridabad (Haryana) except to travel to Delhi to consult his lawyer, as and when necessary, without prior intimation to the concerned SHO/I.O., telephonically.
- (ii) Petitioner will provide his Mobile Number to the concerned SHO/I.O., P.S. Sangam Vihar and will keep the same operational during the period of parole. He will also remain in touch with the SHO/I.O telephonically on every Monday and Friday between 10:00 a.m. to 10:30 a.m.
- (iii) The Petitioner shall ‘drop-a-pin’ on the Google Maps so that the SHO/I.O. can verify the presence and location.
- (iv) On the expiry of parole, Petitioner shall surrender before the concerned Jail Superintendent.

Petition is disposed of in the above terms.

The order passed today be communicated to the Jail Superintendent for information and necessary action.

Copy of the order be uploaded on the Website of Delhi High Court.

JYOTI SINGH, J

MAY 26, 2020

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