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

+ **W.P. (CRL) 860/2020**

SAMAY SINGH

..... Petitioner

Through Mr Siddhart Yadav, Advocate.

versus

STATE OF NCT OF DELHI

..... Respondent

Through Mr Rahul Mehra, Standing
Counsel for State.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

O R D E R

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05.06.2020

[Hearing held through videoconferencing]

CRL. M.A. 7112/2020

1. Allowed, subject to all just exceptions.
2. The application is disposed of.

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3. The petitioner has filed the present petition, *inter alia*, praying that he be released on parole for a period of ninety (90) days.
4. The petitioner was convicted for an offence under Section 138 of the Negotiable Instruments Act, in Complaint Case No. 6283/2016 within the jurisdiction of P.S. Shahbad Dairy. By an order dated 24.04.2019, he was sentenced to undergo imprisonment for a period of eighteen months along with a fine of ₹42,00,000/- and in default of payment of fine to undergo SI for a further period of three months. The petitioner's appeal (Crl. A.

22/2019) against the said order was dismissed on 06.02.2019. The nominal roll indicates that the petitioner has been in actual custody of one year, one month and eight days as on 01.06.2020. During the said period he has earned remission of one month and twelve days. He is required to undergo imprisonment for a further period of three months and ten days. The petitioner is not involved in any other FIR and his conduct in jail has been satisfactory.

5. Mr Rahul Mehra, learned Standing Counsel appearing for the State states that the respondents are considering releasing prisoners on emergency parole and the petitioner's case has been put up before the concerned Committee. He also states that the petitioner has not made any application to the concerned authority for seeking prole.

6. In view of the above, this Court considers it apposite to direct the concerned authority/ Committee to consider the petitioner's present petition as his application for parole and decide the same as expeditiously as possible and in any event within a period of ten days from today. It is clarified that in the event the petitioner is entitled to be considered for emergency parole under the prevalent guidelines/policy, his case be accordingly considered.

7. The concerned authorities shall communicate their decision to the petitioner within the period as specified above.

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

VIBHU BAKHRU, J

JUNE 05, 2020

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