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

+ **W.P. (CRL) 861/2020**

DEEPAK

..... Petitioner

Through Mr Siddharth Yadav, Advocate.

versus

STATE

..... Respondent

Through Mr Rahul Mehra, Standing Counsel

Mr Chaitanya Gosain, Advocate.

Mr Manmohan Mehra, Advocate.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

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04.06.2020

[Hearing held through videoconferencing]

CRL. M.A. 7113/2020

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 for parole.
4. The nominal roll filed by the jail authorities indicates that the petitioner was convicted pursuant to FIR No. 005/2010 under Section 302/364A/392/120-B/34 IPC registered with P.S. South Rohini, New Delhi.
5. The petitioner was sentenced to serve imprisonment for life with a fine of ₹3,10,000/- and in default of payment of fine to undergo simple imprisonment for a further period of three years and six months. The order of sentence also indicated that the life imprisonment meant the remainder of

the petitioner's life.

6. The nominal roll indicates that the petitioner has already served actual custody (including custody as an undertrial) for a period of ten years, four months and twenty-four days as on 03.06.2020. In addition, he has earned remission of ten months and nine days. His conduct in the jail has been satisfactory. The nominal roll also indicates that one of the co-accused has been released on parole.

7. Mr Rahul Mehra, learned Standing Counsel appearing for the State states that the respondents are considering the prisoners for 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.

8. 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.

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

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

VIBHU BAKHRU, J

JUNE 03, 2020

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