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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P. (CRL) 875/2020**

AKBAR @ GANJA Petitioner
Through Mr Kunal Malhotra, Advocate.

versus

STATE OF NCT OF DELHI Respondent
Through Ms Richa Kapoor, ASC for State.

CORAM:
HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER
% **05.06.2020**

[Hearing held through videoconferencing]

1. The petitioner has filed the present petition, *inter alia*, praying that directions be issued to the respondent to release the petitioner on parole/emergency parole for a period of eight weeks in order to enable the petitioner to file Special Leave Petition (SLP) before the Supreme Court.
2. The petitioner was convicted pursuant to the FIR No. 319/2017 under Section 302/34 IPC registered with P.S. Moti Nagar.
3. By an order dated 29.09.2018 he was sentenced to serve life imprisonment with fine of ₹10,000/- and in default SI for a further period of six months. The petitioner preferred an appeal against his conviction and sentence. The said appeal (Crl. A. 61/2019) was dismissed by this Court on 24.05.2019. The petitioner claims that he had applied for parole, however,

his application has not been considered.

4. The nominal roll filed indicates that the petitioner is also involved in another FIR 327/2015 under Section 392/394/34 IPC registered with P.S. Sarai Rohilla, however, he is on bail in the said matter.

5. A status report has also been filed which indicates that all family members except his sister Tabassum have currently gone to their native village [village Shakri, District Darbhanga, Bihar] to arrange the marriage of petitioner's elder brother but no date has been fixed as yet. The address of the petitioner's sister has been verified and she is residing at Jhuggi No. 319, Rakhi Market, Jhakhira, Delhi.

6. In view of the above, this Court considers it apposite to allow the present petition and direct that the petitioner be released on parole for a period of two weeks from the date of his release on his furnishing a personal bond in the sum of ₹20,000/- with two sureties of the equivalent amount to the satisfaction of the Jail Superintendent. However, it would be necessary that the petitioner's sister stand as one of the sureties. This is also subject to the following further conditions:-

- (a) that the petitioner shall not leave the National Capital Territory of Delhi;
- (b) that he shall provide a contact number and ensure that he is reachable at all times;
- (c) that the petitioner shall surrender on or before the expiry of the period of parole period.

7. The petition is allowed in the aforesaid terms.

VIBHU BAKHRU, J

JUNE 05, 2020

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