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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(CRL.) 893/2020 & CRL. M.A. 7395/2020
USMAN KHANPetitioner
Through: Mr. Sundeep Sehgal, Adv.

versus

THE STATERespondent
Through: Mr. R.S. Kundu, ASC for State.

CORAM:
HON'BLE MR. JUSTICE A.K. CHAWLA

O R D E R

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09.06.2020

(Video Conference Hearing)

CRL. M.A. 7395/2020 (Exemption)

It is an application seeking exemption from filing certified copy of the orders and original/typed copies of the annexure. Allowed, subject to just exceptions. Application stands disposed of accordingly.

W.P. (CRL.) 893/2020

Heard.

By the instant petition, the petitioner has prayed as follows:

'Grant the interim suspension of sentence to the petitioner for a period of eight weeks in view of the insertion of Rule 1212A in the Delhi Prison Rules 2018 regarding Emergency Parole vide the Government Notification dated 23.03.2020 and also as per Suo Moto Writ Petition 1/2020 in Re: Contagion of Covid-19 Virus in Prisons of the Apex Court and WP(C) 2945/2020 of the Hon'ble High Court of Delhi.'

During the course of hearing, Id. counsel for the petitioner concedes that the conviction of the instant petitioner has become final inasmuch as no

appeal against the conviction order is pending and that, by the instant petition, the petitioner seeks invocation of Rule 1212A of the Delhi Prison Rules, 2018 for grant of emergency parole. On being queried, Mr. Sehgal, Id. counsel for the petitioner is however unable to point out for the petitioner having made any representation to the Competent Authority seeking invocation of the subject Rule 1212A of the Delhi Prison Rules, 2018.

At this stage, Mr. Sehgal submits that the instant petition may be treated as the representation of the petitioner to the Competent Authority and same may be decided in a time bound manner. On this, Mr. Kundu, Id. ASC for the State comes forward to submit that the instant petition shall be treated as the representation of the petitioner and would be decided in a time bound manner.

In view of the foregoing, the writ petition is disposed of with the direction to the Competent Authority to treat the instant petition as the representation/application of the petitioner and decide it on its own merits within two weeks from today.

Petition stands disposed of accordingly.

A.K. CHAWLA, J

JUNE 09, 2020

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