

\$~6

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

+ **W. P.(CRL.) 915/2020**

VIKAS YADAV

..... Petitioner

Through: Mr Siddharth Yadav, Advocate.

versus

STATE (NCT OF DELHI) & ORS.

..... Respondents

Through: Mr Rajesh Mahajan, ASC for State.
Mr Pradeep Dey, Advocate for R-2.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

%

12.06.2020

[Hearing held through video conferencing]

CRL.M.A.7571/2020

1. Allowed, subject to all just exceptions.

W. P.(CRL.) 915/2020

2. The petitioner has filed the present petition, *inter alia*, impugning an order dated 16.05.2020 passed by the competent authority rejecting the petitioner's application for parole.

3. Mr Yadav, learned counsel appearing for the petitioner submits that a plain reading of the impugned order indicates that the petitioner's application was considered as an application for emergency parole under Rule 1212A of the Delhi Prison Rules, 2018. The concerned committee constituted under the Chairmanship of DG (Prison) had examined the petitioner's application under the said rule and had not recommended that

emergency parole be granted to the petitioner. Mr Yadav states that as the petitioner's application was not limited to seeking emergency parole under Rule 1212A of the Delhi Prison Rules, 2018 but for regular parole on several grounds as stated in the application and in the present petition. He states that he sought parole, *inter alia*, on the ground that his mother, who was of an advanced age, required to be taken care of. He submits that his father was also currently incarcerated in Dehradun Jail and has been unable to look after his family. He also states that the petitioner is suffering from medical problems and would require medical treatment.

4. It is apparent from the plain reading of the petition that the petitioner has not limited his request for seeking emergency parole under Rule 1212A of the Delhi Prison Rules, 2018 but has also sought regular parole as he has been in continuous custody of approximately 18 years.

5. Considering the above, this Court directs the concerned authority to examine the present petition as the petitioner's application for parole in accordance with Delhi Prison Rules, 2018 and pass an appropriate order as expeditiously as possible and in any event within a period of two weeks from today.

6. Respondent nos.2 and 3 are also at liberty to send any representation to the concerned authority, if they desire to oppose the petitioner's application for parole.

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

VIBHU BAKHRU, J

JUNE 12, 2020/MK