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

+ **W.P. (CRL) 1059/2020**

VIJAY KUMAR @ MANNU

..... Petitioner

Through Ms Sunita Arora, Advocate

versus

THE STATE

..... Respondent

Through Mr Rajesh Mahajan, ASC for state with
Ms Jyoti Babbar, Advocate.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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14.07.2020

[Hearing held through videoconferencing]

CRL. M.A. 9203/2020

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 seeking parole to main social ties and family relations and to curb inner stress due to prolonged incarceration. The petitioner states that he requires to organize funds for the education of minor daughter and aid his wife in the management of the household.
4. The nominal roll indicates that the petitioner's conduct in the jail is reportedly unsatisfactory. It is stated that on 02.01.2020 a mobile phone was recovered from his barrack and the punishment of stopping *Mulaquat* for a period of one month has been proposed. The same is awaiting appraisal by the learned District & Sessions Judge. In terms of Rule 1210(II) the Delhi

Prison Rules, 2018, the prisoner would not qualify for parole unless his conduct has been satisfactory for a period of one year in case of imposition of any minor punishment.

5. In view of the above, this Court is unable to accede to the prayer made by the petitioner. However, it is clarified that if on appraisal by the learned District & Sessions Judge, the imposition of the proposed punishment is not accepted, the Jail Authorities shall consider the petitioner's application for parole afresh in accordance with the Rules.

6. The Concerned Authorities are requested to ensure that the proposed punishment is appraised by the learned District & Sessions Judge as expeditiously as possible.

7. The petition is disposed of with the aforesaid observations.

VIBHU BAKHRU, J

JULY 14, 2020

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