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

+ **W.P.(CRL) 1100/2020**

SIDDEEKH

..... Petitioner

Through Ms Dolly Raj Bahadur, Advocate.

versus

STATE (GNCT OF DELHI)

..... Respondent

Through Ms Nandita Rao, ASC for State.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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28.07.2020

[Hearing held through video conferencing]

1. The petitioner has filed the present petition, *inter alia*, praying that he be released on parole for a period of one month.
2. The petitioner's application for emergency parole was rejected by the concerned Committee. However, his application for parole in the normal course was not considered.
3. The nominal roll has been filed, which indicates that the petitioner was convicted of an offence punishable under Section 29/21(C) of the NDPS Act and he was sentenced to serve Rigorous Imprisonment for a period of ten years with a fine of ₹1 lakh. The petitioner has served actual prison custody of five years, five months and ten days as on 21.07.2020. The petitioner had to serve a further period of sentence of four years, six months and twenty days as on that date.
4. The petitioner was released on parole for a period of four weeks with

effect from 18.04.2019 to 17.05.2019 pursuant to the orders passed by this Court and there is no allegation that he has misused the liberty.

5. The petitioner's conduct in jail is reported to be unsatisfactory during the last one year as on 16.05.2020 he was issued a warning.

6. The learned counsel appearing for the petitioner submits that prohibited items were not found in possession of the petitioner but were found in the barrack, which also houses other inmates. However, the petitioner was also issued a warning.

7. Considering the above, this Court considers it apposite to allow the present petition. The petitioner shall be released on parole for a period of four weeks from the date of his release subject to his furnishing a personal bond in the sum of ₹10,000/- with one surety of a equivalent amount to the satisfaction of the concerned Jail Superintendent/Duty Magistrate.

8. This is also subject to the following further conditions:-

- (a) that the petitioner shall provide a contact number and ensure that he is reachable at all times;
- (b) that the petitioner shall telephonically report to the concerned Jail Superintendent on Monday of each calendar week and report his whereabouts.

9. The petition is allowed in the aforesaid terms.

10. A copy of this order be communicated to the concerned Jail Superintendent electronically.

VIBHU BAKHRU, J

JULY 28, 2020

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