

via Video-conferencing

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

+ **W.P.(CRL.) 1124/2020 & CRL. M.A. No. 9899/2020**

AMRIK SINGH

.....Petitioner/Applicant
Through : Mr. Ashutosh Kaushik,
Advocate.

versus

STATE (GNCT OF DELHI)

..... Respondent
Through : Mr. Chaitanya Gosain,
Advocate for Mr. Rahul Mehra,
SSC (Criminal) for GNCTD.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

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27.07.2020

CRL.M.A. No. 9899/2020 (for exemption)

Exemption is granted, subject to just exceptions.

The application stands disposed of.

W.P.(CRL.) No. 1124/2020

The petitioner, who is a convict serving life sentence in case arising from FIR No. 256/1992 registered under sections 302/452/34 IPC at PS : Mangol Puri, Delhi, seeks parole, or in the alternative emergency parole, on the ground that his sister has passed-away on 21.07.2020; and that the petitioner needs to attend the post-demise rites and ceremonies, including the *tehraveen* of his sister which is scheduled on 31.07.2020.

2. Mr. Aushotosh Kaushik, learned counsel appearing for the applicant relies upon cremation certificate dated 21.07.2020 issued by the cremation ground; and also submits that the petitioner has not availed interim suspension of sentence, parole or furlough during the last almost 03 years.
3. Counsel further relies upon order dated 27.03.2020 issued by the Home Department of the Govt. of NCT of Delhi which provides for grant of emergency parole in view of the prevailing coronavirus pandemic. It is also submitted that the petitioner has been in judicial custody for the last about 14 years including remission.
4. Issue notice.
5. Mr. Chaitanya Gosain, learned counsel appearing for Mr. Rahul Mehra, learned Senior Standing Counsel for Govt. of NCT of Delhi appears on advance copy; and accepts notice. Mr. Gosain submits that the factum of demise of the petitioner's sister has been verified.
6. Considering the aforesaid facts and circumstances, this court is persuaded to grant *emergency parole* to the applicant for a period of 06 (six) weeks from the date of his release, subject to the following conditions :
 - a. The petitioner shall furnish a personal bond in the sum of Rs.25,000/- with 01 surety in the like amount from a family member, to the satisfaction of the Jail Superintendent;
 - b. The petitioner shall not leave the State of Delhi without permission of the court and shall *ordinarily* reside at the address mentioned in this petition;
 - c. The petitioner shall furnish to the concerned SHO a cell phone number on which the petitioner may be contacted at any time

and shall ensure that the number is kept active and switched-on at all times;

- d. The petitioner shall not engage in any unlawful act or omission;
 - e. Upon expiry of the period of emergency parole, the petitioner shall surrender before the concerned Jail Superintendent.
- 7. The writ petition stands disposed of in the above terms.
 - 8. Pending applications, if any, also stand disposed of.
 - 9. A copy of this order be sent to the Jail Superintendent.

ANUP JAIRAM BHAMBHANI, J.

JULY 27, 2020

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