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

+ **W.P.(CRL) 1207/2020**

MITHILESH KUMAR KUSHWAHA Petitioner

Through: Mr Akshay Bhandari, Advocate.

versus

STATE Respondent

Through: Ms Richa Kapoor, ASC for State.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

O R D E R

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07.08.2020

[Hearing held through video conferencing]

CRL.M.A. 10633/2020 & CRL.M.A. 10634/2020

1. Allowed, subject to all just exceptions.

W.P.(CRL) 1207/2020

2. The petitioner has filed the present petition, *inter alia*, praying that directions be issued to grant parole to the petitioner for a period of four weeks. The petitioner is serving his sentence in connection with a case arising from FIR No.147/2007 under Section 302 of the IPC registered with PS Vasant Kunj. The petitioner was awarded the death sentence but the same was reduced to life imprisonment, He is sentenced to serve twenty five years without remission.

3. Mr Bhandari, learned counsel appearing for the petitioner states that the petitioner was granted parole on an earlier occasion and there is no allegation that he has misused his liberty. He states that he was also granted

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furlough but could not comply with the attendant conditions, inasmuch as, he could not furnish the surety.

4. Ms Kapoor, learned ASC submits that the furlough granted to the petitioner was cancelled. She further states that the petitioner has not filed any application for parole before the concerned authority.

5. In view of the above, this Court considers it apposite to direct that the present petition be considered by the concerned authority as the petitioner's application for parole. It is so directed. The concerned authority shall communicate its decision as expeditiously as possible and in any event, within a period of three weeks from today.

6. The petition is disposed of with the aforesaid directions.

VIBHU BAKHRU, J

AUGUST 07, 2020
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