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

+ LPA 250/2020

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Decided on: 16th September, 2020

SURENDER KUMAR @ SURENDER TOKAS Appellant

Through: Mr.Sarthak Maggon, Adv.

Versus

STATE OF NCT OF DELHI & ANR. Respondents

Through: Mr.Rahul Mehra, Standing Counsel
with Ms.Kamna Vohra, APP and Mr.Chaitanya
Gusain, ASC for GNCTD.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE PRATEEK JALAN

JUDGMENT

: **D.N.PATEL, Chief Justice (Oral)**

Proceedings in the matter have been conducted through video conferencing.

C.M.No.22782/2020 (exemptions from filing attested affidavit & court fees)

For the reasons stated in the application and in view of the present prevailing situation, the present application is allowed. However, the applicant is directed to file duly signed and affirmed affidavits within a period of one week and the requisite Court fee within a period of 72 hours from the date of resumption of regular functioning of the Court.

The application is disposed of.

LPA 250/2020

1. This Letters Patent Appeal has been preferred by the original petitioner whose writ petition being W.P.(Crl.) No.1287/2020 was dismissed

2. Having heard the learned counsel for the parties and looking to the facts and circumstances of the case, it appears that as per Rule 1210(II) of Delhi Prison Rules, 2018, if a prisoner has been awarded any minor punishment, it is necessary for his conduct to be uniformly good for a period of one year, in order to be eligible for parole. The said rule reads as under:-

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3. Looking to the facts of the present case, this appellant (Original Petitioner) was awarded minor punishment as, during the course of a raid carried out on 29th January, 2020, a mobile phone and two SIM cards were recovered from the room which was occupied by the appellant and one another inmate. The minor punishment was awarded on the appellant by the jail authorities, which was later also confirmed by the learned District & Sessions Judge.

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paragraphs 2 to 4, we see no reason to entertain this appeal for grant of parole. No error has been committed by the learned Single Judge while deciding W.P.(CrI.) No.1287/2020 vide judgment and order dated 31st August, 2020.

5. The appeal is accordingly dismissed.

CHIEF JUSTICE

PRATEEK JALAN, J

SEPTEMBER 16, 2020/ 'anb'

