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

+ **W.P.(CRL) 3349/2019**

SACHIN

..... Petitioner

Through Mr. Archit Upadhayay, Adv.

versus

STATE

..... Respondent

Through Mr. Avi Singh, ASC with Ms.
Purnima.
SI Puran Singh, PS Gokul Puri.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

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29.01.2020

1. The petitioner has filed the present petition impugning an order dated 28.10.2019 whereby the petitioner's request to be released on parole was rejected in view of Rule 1210 (II) of the Delhi Prison Rules, 2018 (hereafter 'the Rules').
2. The petitioner was awarded punishment on 11.01.2018, whereby his *mulakat* was stopped for a period of one week. He was also awarded a punishment on 02.04.2018, whereby his *mulakat* was stopped for a period of ten days.
3. In terms of Rule 1271 of the Rules, the aforesaid punishments are minor punishments. Rule 1210 (II) of the Rules requires that the conduct of the prisoner be uniformly good for a period of one year, if he has been awarded any minor punishment, in order to be eligible for the grant of

parole. In the present case, there is no allegation that the conduct of the petitioner has not been good after 02.04.2018.

4. Accordingly, this Court is of the view that Rule 1210 (II) of the Rules does not render the petitioner ineligible for the grant of parole, as the period of one year after he was imposed a minor punishment, has already elapsed.

5. The impugned order is accordingly set aside and the matter remanded to the concerned authority to consider the petitioner's request afresh in accordance with the Rules. 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 allowed in the aforesaid terms.

7. Order be given *dasti* under the signatures of the Court Master.

VIBHU BAKHRU, J

JANUARY 29, 2020
DR