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

+ **W.P.(CRL) 3583/2019**

BHUPENDER DUTT JOSHI Petitioner

Through: Mr Anuj Kapoor, Advocate.

versus

STATE

.... Respondent

Through: Mr Sanjay Lao, ASC for State.

SI Vikrant Singh, PS Swaroop Nagar.

CORAM:

HON'BLE MR. JUSTICE VIBHU BAKHRU

ORDER

% **28.02.2020**

1. The petitioner has filed the present petition impugning an order dated 23.10.2019, whereby the petitioner's application for parole was rejected.
2. The petitioner was convicted for committing an offence under Section 302 of the IPC and was sentenced to life imprisonment.
3. The petitioner's appeal against his order of conviction was also dismissed. As on 30.11.2019, the petitioner has undergone actual custody of four years, nine months and thirteen days and during the said period, has earned remission of eight months and twenty-six days. His conduct in jail is reported to be satisfactory.
4. The petitioner was released on parole for a period of two weeks from 11.01.2019 to 25.01.2019 and there is no allegation that he had misused the said liberty.
5. The petitioner's application for parole was rejected as his family members were reported to have said that they were afraid of him and apprehended danger to their life from him.
6. Mr Lao, learned ASC for State states that it had been verified that the

petitioner has four children and all of them reside with the petitioner's brother in Uttarakhand.

7. The learned counsel appearing for the petitioner submits that he has also had a telephonic conversation with the petitioner's children and they would like to meet their father.

8. In view of the aforesaid, this Court considers it apposite to allow the present petition.

9. The petitioner is directed to be released on parole for a period of two weeks from the date of his release on his furnishing a personal bond in the sum of ₹10,000/- with one surety of an equivalent amount to the satisfaction of the concerned Jail Superintendent. This is also subject to the petitioner complying with following conditions:

- (a) the petitioner shall provide his contact number and ensure that he is reachable at all times; and
- (b) On his release, the petitioner shall directly proceed to Uttarakhand and surrender immediately on his return. The petitioner shall not visit any other place during the period of parole.

10. The petition is allowed in the aforesaid terms.

11. Order *dasti* under signatures of the Court Master.

VIBHU BAKHRU, J

FEBRUARY 28, 2020
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