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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**+ **W.P.(CRL) 2133/2023****SHER SINGH BADSHAMI**

..... Petitioner

Through: Mr. Sunil Dalal, Sr. Adv. with Mr. Parth Sharma, Ms. Sonali Tiwari, Mr. Ankur, Ms. Manisha Saroha, Mr. Ashish Sharma, Mr. Nikhil Beniwal, Mr. Navish Bhati and Mr. Mahabir Singh, Advs.

versus

THE STATE GNCTD & ANR.

..... Respondents

Through: Mr. Yasir Rauf Ansari, ASC for R-1 with SI Suresh Chand, PS Tilak Nagar

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Date of Decision: 01.08.2023**CORAM:****HON'BLE MR. JUSTICE DINESH KUMAR SHARMA****J U D G M E N T****DINESH KUMAR SHARMA, J. (Oral)****CRL.M.A. 19876/2023 (Exemption)**

Exemption is allowed subject to all just exceptions.



W.P.(CRL) 2133/2023 and CRL.M.A. 19877/2023 (Extension of parole)

1. In terms of order dated 28.07.2023, SHO, Tilak Nagar has filed a status report dated 30.07.2023 which reads as under:

1. That the present writ petition has been filed by petitioner under Article 226 of Constitution of India read with Section 482 Code of Criminal Procedure 1973 for seeking extension of Parole for Eight Weeks on medical grounds.

2. That during the course of verification of medical documents of petitioner, the Medical Superintendent of Dr Rajendra Prasad Centre for Ophthalmic Sciences, AIIMS, New Delhi, has confirmed that the patient/petitioner has visited the OPD in RP Centre (Eye Centre), AIIMS New Delhi on 25/07/2023 and OPD Card & Private Ward Booking Information of patient were prepared and the doctor has advised the patient to get admitted in RP Eye Centre on 04.08.2023/ Further the OPD card and Private Ward Booking Information annexed with the petition have been verified as genuine. Verified Medical documents are attached herewith as Annexure 1 to 3.

The report is submitted for your kind perusal please.

2. Learned senior counsel for the petitioner submits that in view of the age and the serious condition of the petitioner, the parole granted may be further extended for four weeks.
3. This Court deprecates the practice of filing repeated petitions for extension of parole. The Delhi Jail Manual prescribes a procedure for the grant of parole. However, instead of going to the competent authority, the petitioner is approaching this Court.



4. Learned senior counsel for the petitioner states at Bar that he shall not seek further extension and shall move an appropriate application before the competent authority. However, he submits that sometime may be given to undergo the surgery which is scheduled on 04.08.2023.
5. In view of the submissions made, the parole is extended for three weeks on the terms and conditions as contained in order dated 31.05.2023. However, the parole in this case has been granted on the peculiar facts and circumstances and the same shall not be taken as a precedent.
6. Accordingly, the present petition and application stands disposed of.

DINESH KUMAR SHARMA, J

AUGUST 1, 2023

Pallavi