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

+ **W.P.(CRL) 565/2024**

KARAMBIR

..... Petitioner

Through: Mr. Vishesh Wadhwa, Ms. Swadha
Gupta and Ms. Shubhangi,
Advocates.

versus

STATE OF NCT OF DELHI

..... Respondent

Through: Mr. Amol Sinha, ASC for State with
SI Ram Niwash, PS Uttam Nagar.

CORAM:

HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER

15.04.2024

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1. By way of the present petition filed under Article 226 of the Constitution of India read with Section 482 Cr.P.C., the petitioner seeks to assail the order dated 02.02.2024 passed by the respondent, whereby petitioner's application seeking parole was rejected ostensibly on the ground that two of the co-accused, who had been released on parole and furlough in 2014 and 2015 have absconded.

2. Learned counsel for the petitioner has assailed the impugned order by contending that the petitioner has been released on parole and furlough on multiple occasions, however, the respondent continues to maintain the same objection. In this regard, he has drawn attention to order dated 23.04.2018 passed by a Coordinate Bench of this Court in W.P. (Crl.) 2935/2017, whereby after considering the said objection, the petitioner was directed to be released on parole, on the ground that the petitioner was in continuous



incarceration since 2006.

3. In the present petition, the petitioner has sought parole on the ground that his house requires urgent repair and construction.

4. Nominal roll of the petitioner has been placed on record which indicates that he has been released on furlough multiple times and that he has not misused the said concessions.

5. A Status report has also been placed on record as per which the petitioner's family comprises of his daughter aged 28 years and his mother-in-law aged 70 years. Further, during the inquiry, statements of the neighbours namely *Om Prakash* and *Dalip Kumar* have been recorded wherein they have stated that the daughter of the petitioner is handicapped and that petitioner's house is in a dilapidated condition.

6. Considering the aforesaid, the petitioner is directed to be released on parole for a period of four weeks from the date of his release on furnishing a personal bond of Rs.25,000/- with one surety of the like amount to the satisfaction of the concerned Jail Superintendent/Duty M.M./concerned Court and subject to the following conditions:-

- i) The petitioner shall also provide to the SHO, Local Police Station, the mobile number which shall be kept in working condition at all times and he shall not switch off or change the mobile number without prior intimation to the SHO concerned.
- ii) The petitioner shall not leave the National Capital Territory of Delhi during the period of parole, without the prior permission of this Court.
- iii) The petitioner shall not indulge in any criminal activity



and shall not communicate with or come in contact with the complainant/victim or any member of the complainant/victim's family or tamper with the evidence of the case.

iv) The petitioner shall surrender upon expiry of the parole period.

7. The petition is disposed of in the above terms.
8. Copy of the order be communicated to the concerned Jail Superintendent electronically for information and necessary compliance.
9. Copy of the order be uploaded on the website forthwith.

MANOJ KUMAR OHRI, J

APRIL 15, 2024/pa