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

+ W.P.(CRL) 468/2022, CRL.M.A. 18349/2024

VIKAS YADAV

.....Petitioner

versus

STATE NCT OF DELHI & ORS.

.....Respondents

+ W.P.(CRL) 2224/2022, CRL.M.A. 18261/2024

VIKAS YADAV

.....Petitioner

versus

STATE NCT OF DELHI & ORS.

.....Respondents

Present: Mr.Mohit Mathur, Sr.Adv. with Mr.Kanhaiya Singhal,
Mr.Ujwal Ghai, Mr.Sumit Mishra, Ms.Vani Singhal,
Mr.Prasanna and Mr.Udit Bakshi, advts. for the petitioner.
Mr.Rajesh Mahajan, SPP with Ms.Jyoti Babbar, adv. and
Mr.Ranjeebkamal Bora, Advt. for respondent no.1.
SI Suresh, PS Tilak Marg.
Ms.Vrinda Bhandari and Ms.Pragya Barsaiyan, Avts. For R-
2/complainant.

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER
22.08.2024

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Mr.Mohit Mathur learned senior advocate with Mr. Kanhaiya Singhal, learned counsel appearing for the petitioner, during the course of submissions has invited the attention of the court to the order dated 18.08.2021 communicated to the petitioner on 28.03.2022. Learned senior counsel submits that this order has been rejected merely on view of strong



objection being raised by respondents Ms.Neelam Katara and Mr.Ajay Katara. The order 18.08.2021 is reproduced herein below:

“Sub: Release on parole, of the convict Vikas Yadav S/o D.P.Yadav, in case FIR No. 192/02. U/s 364/302/201/34 IPC, PS Kavi Nagar, Ghaziabad, UP in compliance of directions issued by the Hon'ble High Court of Delhi vide its order dated 12.07.2021 in W.P.(Crl.) No. 1147/2021.

Sir,

With reference to your office letter no. F.3/SCJ-03/AS(CT)/2021/1341 dated 30.06.2021, on the subject cited above, I am to inform you that the request in respect of the said convict for grant of parole has been considered and rejected by the Hon'ble Lt. Governor, NCT of Delhi in view of the strong objections raised by the respondent Ms. Nilam Katara and Sh. Ajay Katara.

The convict may be informed accordingly.”

Perusal of the order on the face of it indicates that the application for parole has been rejected by the Lt. Governor, NCT of Delhi in view of the strong objections raised by the respondent Ms. Nilam Katara and Sh. Ajay Katara.

The rules as contained in the Delhi Jail Manual confers the right on the prisoner to apply for parole/furlough and the same has to be considered by the competent authority in accordance with the rules as contained therein. The order dated 18.08.2021 gives an impression that the rules as contained in the Delhi Jail Manual have not been considered.

Let the petitioner file a fresh application for parole/furlough. The competent authority is directed to dispose of such application within a period of six weeks from filing of the application taking into account the rules of Delhi Prison Rules, 2018.



With these observations, both the petitions along with pending applications stand disposed of. However, it is made clear that this court has not gone into the merits of the case and no expression made herein shall tantamount to be an expression on the merits of the case

DINESH KUMAR SHARMA, J

AUGUST 22, 2024/rb/ht