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

+ **W.P.(CRL) 788/2024**

RAM BABU

..... Petitioner

Through: Mr. Himanshu Sharma,
Adv. through V.C.

versus

STATE OF NCT OF DELHI

..... Respondent

Through: Ms. Nandita Rao, ASC for
the State for the State.
SI Sanjay Dahiya, PS
Mehrauli.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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21.05.2024

1. The present writ petition is filed under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 ('CrPC'), seeking release of the petitioner on parole for a period of two months in FIR No. 698/2001, under Sections 201/302/34 of the Indian Penal Code, 1860 ('IPC'), registered at Police Station Mehrauli.
2. The status report has been filed by the State.
3. It is submitted that the application filed by the petitioner seeking parole was rejected since the petitioner had on earlier occasion while on parole had not surrendered on time.
4. It is not disputed that the petitioner while on parole on

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earlier occasion, was to surrender on 07.06.2023 and during that period the wife of the petitioner committed suicide on 24.05.2023. It appears that the petitioner due to the tragedy which has happened in his house, delayed in surrender.

5. It is not disputed that the petitioner after the delay had surrendered himself. It is also not denied that the petitioner while on parole / furlough on earlier occasions had not misused the liberty and is in custody for more than eight years and eight months.

6. In view of the above, this Court considers it apposite to allow the present petition and the petitioner is directed to be released on parole for a period of two months from the date of his release on furnishing a personal bond for a sum of ₹20,000/- with one surety of the like amount to the satisfaction of the concerned Jail Superintendent on the following conditions:

- a. The petitioner shall not leave the country without the prior permission of this Court and shall reside at the given address.
- b. The petitioner shall furnish his mobile number to the Jail Superintendent as well as to the SHO of the concerned Police Station on which he can be contacted if required. The said mobile number shall be kept active and operational at all times by the petitioner;
- c. The petitioner shall appear before the concerned SHO, of the local police station, once in every week



between 11:00 AM and 11:30 AM to mark his presence.

- d. The petitioner shall not indulge in any criminal activity during the period of parole;
 - e. Immediately upon the expiry of period of parole, the petitioner shall surrender before the concerned Jail Superintendent;
 - f. During this period, the other co-accused persons will not be released on parole/furlough.
7. The period of parole shall commence from the date of actual release of petitioner.
8. The present petition is allowed in the aforesaid terms.
9. A copy of this order be sent to the Jail Superintendent for information and necessary compliance.

AMIT MAHAJAN, J

MAY 21, 2024
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