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

+ **W.P.(CRL) 1145/2024 & CRL.M.A. 11054/2024**

MANOJ

..... Petitioner

Through: **Mr. Siddharth Yadav, Advocate.**

versus

STATE (NCT OF DELHI)

..... Respondent

Through: **Mr. Sanjeev Bhandari, ASC with
Ms. Anvita Bhandari, Mr. Kunal
Mittal, Mr. Arjit Sharma and
Mr. Vaibhav Vats, Advocates along
with SI Pratap Vikram Singh, P.S.
Sadar Bazar.**

CORAM:

HON'BLE DR. JUSTICE SUDHIR KUMAR JAIN

ORDER

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10.04.2024

1. The present writ petition is filed under Article 226 of the Constitution read with section 482 Cr.P.C. for issuance of directions to the respondent for grant of parole for a period of 02 weeks on the ground that the uncle of the petitioner has expired.
2. Issue notice.
3. Mr. Sanjeev Bhandari, Additional Standing Counsel accepts notice on behalf of the State/respondent.
4. The counsel for the petitioner stated that the petitioner was convicted vide judgment dated 23.02.2019 and was sentenced vide order dated 13.03.2019 for life imprisonment by the court of ASJ, Delhi after conclusion of trial arising out of FIR bearing no. 0081/2010 registered under sections



302/34 IPC at P.S. Sadar Bazar. The petitioner has already been granted the first spell of furlough for a period of 03 weeks and is scheduled to surrender before the concerned jail authority on 11.04.2024. It is further stated that the paternal uncle of the petitioner has passed away on 07.04.2024 and his last rites i.e. tehrvi is scheduled to be performed on 20.04.2024. In these circumstances, the petitioner seeks the parole for a period of two weeks from the date of release.

5. The Additional Standing Counsel for the State/respondent stated that the petitioner had already been granted first spell of furlough for 03 weeks, which is due to expire on 11.04.2024. He further stated that let the petitioner surrender before the concerned jail first and thereafter he may apply afresh for grant of emergency parole to attend the tehrvi of his paternal uncle scheduled to be performed on 20.04.2024. Accordingly, he opposed the present petition.

6. The paternal uncle of the petitioner, namely, Vinod Kumar is stated to be expired on 07.04.2024. The cremation ground receipt issued by MCD is annexed along with petition. During the course of arguments, the counsel for the petitioner also confined the prayer to release the petitioner on emergency parole for a period of 03 days.

7. After considering all facts, the petitioner is granted emergency parole for a period of 03 days commencing from 19.04.2024 to 21.04.2024 on furnishing personal bond in the sum of Rs.10,000/- (Rupees Ten Thousand Only) with one surety of the like amount to the satisfaction of the concerned Jail Superintendent. The petitioner is directed to surrender before the concerned Jail Superintendent on 22.04.2024 at 10:00 AM. It is also made clear that the grant of parole by this order shall be effective only in case the



petitioner surrenders before the concerned jail authority after the expiry of first spell of furlough on 11.04.2024.

8. The present petition along with pending application, stands disposed of.

9. Copy of this order be given *dasti* to the petitioner as well as be sent to the concerned Jail Superintendent for information.

DR. SUDHIR KUMAR JAIN, J

APRIL 10, 2024

N/AM