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

+ **W.P.(CRL) 1512/2022**

SUNIL NAYAK @ FUNDI

..... Petitioner

Through: Mr. Rahul Thakur, Advocate.

versus

THE STATE (GNCT OF DELHI)

..... Respondent

Through: Mr. Sanjay Lao, Standing Counsel for
State with ASI Om Prakash, PS: Sarai Rohilla.

CORAM:

HON'BLE MS. JUSTICE JYOTI SINGH

ORDER

15.03.2024

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1. This writ petition has been filed on behalf of the Petitioner under Article 226 of the Constitution of India read with Section 482 Cr.P.C. seeking the following reliefs:-

“a) allow the present petition in favour of the Petitioner by issuing a writ of mandamus or any other writ directing the respondent to release the petitioner on parole by setting aside order dated 23.05.2022 no.f.18/151/2009/HG1474 for a period of 01 month for admission in school of his son in 1st class, make arrangement for livelihood for wife and minor children and old aged ailing parents, and also arrange funds wife, children and old aged ailing parents.”

2. Perusal of the relief shows that the Petitioner herein assails the order dated 23.05.2022 rejecting his parole for a period of one month for admission of his child which reason does not exist any more.

3. Learned counsel for the Petitioner seeks to withdraw this petition which is rendered infructuous with liberty to file a fresh application seeking parole before the Competent Authority.

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4. Petition stands disposed of as withdrawn with liberty as prayed for in accordance with law.

5. Needless to state that as and when an application is filed, the same shall be decided in accordance with the facts and circumstances and rule position preferably within a period of four weeks from the date of receipt of the application and the decision shall be communicated to the Petitioner.

JYOTI SINGH, J

MARCH 15, 2024/shivam

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