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

+ **W.P.(CRL) 1460/2024**

PURAN PRASAD

..... Petitioner

Through: Mr. Biswajit Kumar Patra, Advocate

versus

STATE NCT OF DELHI

..... Respondent

Through: Mr. Rahul Tyagi, ASC for the State.

CORAM:

HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER

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09.05.2024

CRL.M.A. 14277/2024 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

W.P.(CRL) 1460/2024

3. The instant petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been filed on behalf of petitioner seeking appropriate writ to release the petitioner on parole for a period of two months on the ground of *barsi* of father of the petitioner in case FIR bearing no. 280/2012, registered at Police Station Khyala, Delhi for the offences punishable under Section 302 of the Indian Penal Code, 1860 ('IPC').
4. Issue notice. Mr. Rahul Tyagi, learned ASC accepts notice on behalf of State.



5. The factum that the *barsi* of the father of the petitioner was scheduled for today was verified by the State. The Court *vide* order dated 16.04.2024 had directed the competent authority to decide the application for grant of parole expeditiously since the *barsi* of the father of the petitioner was to be attended by him on 09.05.2024. Unfortunately, the same could not be decided expeditiously, and as per the learned ASC for the State the file is still in process after passing through the relevant channels i.e. the jail authorities, the Home Department of NCT of Delhi and thereafter, the competent authority.

6. The petitioner herein who was to attend the *barsi* of his father would not be able to attend the same in case this Court will not intervene. In these circumstances, this Court to ensure that the petitioner herein is able to attend the *barsi* of his father is inclined to pass the following order.

7. Considering the overall facts and circumstances of the present case, this Court is inclined to grant parole to the petitioner for a period of 15 days on the following terms and conditions:

- i. The petitioner shall furnish a personal bond in the sum of Rs.5,000/- with one surety of the like amount, to the satisfaction of the Jail Superintendent.
- ii. The petitioner shall report to the SHO of the local area once a week on every Sunday between 10:00 AM to 11:00 AM.
- iii. The petitioner shall furnish a telephone/mobile number to the Jail Superintendent as well as SHO of local police station, on which he can be contacted if required. The said telephone



number shall be kept active and operational at all the times by the petitioner.

iv. Immediately upon the expiry of period of parole, the petitioner shall surrender before the Jail Superintendent.

v. The period of parole shall be counted from the day when the petitioner is released from jail.

8. In above terms, the present petition stands disposed of.

9. The Registry will communicate this order to the Jail Superintendent concerned today itself through electronic mode for immediate compliance.

10. A copy of this order be given *dasti* under the signature of Court Master.

11. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

MAY 9, 2024/zp

[Click here to check corrigendum, if any](#)