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

+ W.P.(CRL) 1680/2024

JAI RAM @ VICKY

..... Petitioner

Through: Mr.Vinayak Bhandari,
Ms.Jaisal Singh, Adv.

versus

STATE OF NCT OF DELHI

..... Respondent

Through: Mr.Amol Sinha, ASC
(Criminal) with Mr.Kshitiz
Garg, Mr.Ashvini Kumar,
Adv. with Insp. Surender.

CORAM:

HON'BLE MR. JUSTICE NAVIN CHAWLA

ORDER

% **30.05.2024**

1. This petition has been filed by the petitioner under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 (in short, 'Cr.P.C.'), seeking quashing of order dated 23.04.2024 passed by the Competent Authority refusing the release of the petitioner on Parole.

2. The petitioner further prays for being released on Parole for a period of three months, on the ground that he wishes to re-establish social ties and for his mother's *barsi*.

3. The Competent Authority has refused to release the petitioner on Parole by placing reliance on Rule 1210, sub-rule (II), (III) and (IV) of the Delhi Prison Rule, 2018, and Rule 1211 of the Delhi Prison Rules, and stating that when petitioner had earlier been released on Parole for a period of four weeks with effect from 20.11.2019 to



17.12.2019 under an order passed by this Court, the petitioner had not surrendered on time and was re-arrested in another case on 28.06.2020.

4. The learned counsel for the petitioner has placed reliance on the order dated 25.04.2023 passed by this Court in W.P.(Crl.) No.2381/2022, titled ***Jairam @ Vicky v. State (Govt. of NCT) Delhi***, whereby this Court, in spite of the above circumstances and taking note of the fact that the jail conduct of the petitioner had been satisfactory for the last one year therefrom, directed him to be released on Parole.

5. The Nominal Roll of the petitioner indicates that as on 29.05.2024, he has undergone imprisonment of more than 13 years, apart from the remission earned. The last punishment was awarded to him on 18.02.2021, that is, more than 3 years back. He had also been released on Parole pursuant to the above-mentioned order, between 11.05.2023 to 09.06.2023. There is no allegation that he had violated the terms of his release on this occasion.

6. Keeping in view the above facts and circumstances, the petitioner is granted Parole for a period of four weeks from the date of his release, subject to the petitioner furnishing a 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 learned Trial Court, and further subject to the following conditions:-

- i. During the period the petitioner remains out on parole, the petitioner shall report to the SHO of the concerned Police Station on every Saturday.



- ii. The petitioner shall also provide the SHO of the concerned police station with mobile telephone number which shall be kept in working condition at all times and shall not switch off or change the mobile number without prior intimation to the SHO concerned.
 - iii. The petitioner shall not leave the National Capital Territory of Delhi during the period of parole, without the prior permission of this Court.
 - iv. The petitioner shall not indulge in any criminal activity and shall not communicate with or come in contact with the complainant/victim or any member of the complainant/victim's family.
 - v. The petitioner is directed to surrender before the jail authorities at the expiry of the period of parole.
7. The petition is disposed of in the above terms.
8. Copy of the Order be sent to the Jail Superintendent for information and necessary compliance.

NAVIN CHAWLA, J

MAY 30, 2024

RN/RP

Click here to check corrigendum, if any