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

+ **W.P.(CRL) 1922/2024**

PANKAJ @DABBU

.....Petitioner

Through: Mr. Shannu Baghel, Mr. Sudhir
Kumar, Mr. Yash Chaudhary, Mr.
Ganpat Ram, Mr. Vivek Kumar,
Advts.

versus

STATE NCT OF DELHI

.....Respondent

Through: Ms. Rupali Bandhopadhyaya, ASC with
Mr. Abhijeet Kumar, Adv. with Insp.
Ganga Ram, PS Dabri

CORAM:

HON'BLE MR. JUSTICE JASMEET SINGH

ORDER

26.11.2024

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1. This is a petition filed under Article 226 of the Constitution of India read with section 482 Code of Criminal Procedure, 193 seeking quashing of order No. F 18/148/2019/HG/758-59 dated 20.03.2024 and directing the respondent to release the petitioner on parole for a period of 4 weeks in order to re-establish social and family ties.
2. The petitioner had earlier filed an application seeking his release on parole for a period of four weeks for re-establishing social and family ties before the concerned authorities which came to be dismissed by order dated 20.03.2024.
3. As per the order dated 20.03.2024, the application filed on behalf of



the petitioner seeking parole was rejected in view of Rule 1210, sub rule (II), (III) and (IV) of Delhi Prison Rules 2018.

4. As per Rule 1210, sub rule (II), the conduct of the prisoner who has been awarded major punishment for any prison offence should have been uniformly good for last two years from the date of application seeking parole whereas in the present case, the petitioner was awarded a major punishment on 10.09.2022 for fighting with other inmate.

5. As per the nominal roll dated 03.08.2024, there is no punishment given to the petitioner and his conduct has been satisfactory from 10.09.2022. The period of 2 years from 10.09.2022 has also elapsed.

6. As on 03.08.2024, the petitioner has been in custody for a period of 13 years, 11 months 12 days, has a remission of 3 years, 5 months and 19 days.

7. The petitioner was also granted emergency parole during COVID period, however during the said period, the petitioner was again re-arrested on 05.08.2021 in FIR No. 20504/2021, registered at PS Najafgarh under sections 379/411 IPC, 1860. The petitioner is on bail in FIR No. 20504/2021.

8. Hence, I am inclined to allow the petition and the petitioner is to be released on parole as the conduct of the petitioner has been good and satisfactory for almost 2 years.

9. In this view of the matter, the order No. F 18/148/2019/HG/758-59, dated 20.03.2024 has become infructuous and need not be adjudicated upon.

10. For the reasons noted above, it is directed that the petitioner is to be released on parole for a period of 4 weeks in order to re-establish social and family ties subject to the following terms and conditions:



- i. The petitioner shall furnish a personal bond and surety bond in the sum of Rs. 10,000/- each, to the satisfaction of the Jail Superintendent;
 - ii. The petitioner shall provide his mobile number to the Investigating Officer (IO) concerned, which shall be kept in working condition at all times. The petitioner shall not switch off, or change the same without prior intimation to the IO concerned, during the period of parole;
 - iii. The petitioner will furnish his permanent address to the IO and in case he changes his address, he will inform the IO concerned;
 - iv. The petitioner shall not leave the country without permission from the competent Court and if the petitioner has a passport, he shall surrender the same to the Jail Superintendent;
 - v. The petitioner shall not indulge in any act or omission that is unlawful or that would prejudice the proceedings in pending cases, if any.
 - vi. The petitioner shall surrender after expiry of the parole period.
11. The petition stands disposed of with the aforesaid terms.

JASMEET SINGH, J

NOVEMBER 26, 2024/DM

Click here to check corrigendum, if any