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

+ **W.P.(CRL) 2364/2024**

DIWAKAR GUPTA @ DIVAKAR GUPTAPetitioner

Through: Mr. Anurag Jain, Mr. Kumar Gupta,
Advs.

versus

STATE(GOVT. OF NCT OF DELHI)Respondent

Through: Ms. Nandita Rao, ASC, GNCTD and
SI Sachin Sharma, PS Pandav Nagar.

CORAM:

HON'BLE MR. JUSTICE DINESH KUMAR SHARMA

ORDER

21.08.2024

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1. The present petition has been filed under Section 226 of the Constitution of India read with Section 482 Cr. P.C seeking to direct the respondent to release the petitioner for a period of 8 weeks from the date of his release in FIR No. 179/1997, PS Trilok Puri U/s 302/307/34 IPC.
2. Ms. Nandita Rao, learned ASC has submitted that as per the Medical Report received from Senior Medical Officer, Central Jail No. 14, Mandoli, Delhi vide no. 877 dated 17.08.2024, the petitioner is under treatment from Department of Neurology (AIIMS). She further submits that even as per the prescription which was sent on 06.07.2024 by the AIIMS Neurology Department, the petitioner is getting adequate medical treatment, therefore, the parole may not be granted.
3. Learned counsel for the petitioner submits that even the Medical



Report filed by the Senior Medical Officer confirms his bad medical condition. Learned counsel further submits that in view of the medical condition, the petitioner may be released on parole for a period of 4 weeks.

4. A perusal of the nominal records indicates that he has already undergone custody of 10 years 2 months. His conduct in the jail is satisfactory. The Medical Report also confirms that the petitioner needs to be managed by Neurologist.

5. In view of the medical condition, the petitioner is released on parole from jail for a period of 4 week from the date of his release on his furnishing personal bond of Rs. 10,000/- with one surety of the like amount, subject to the satisfaction of the concerned Jail Superintendent and subject to the following conditions:

- i. The Petitioner shall furnish his mobile number(s) in the personal bond to the Jail Superintendent, shall always keep it operational and shall also remain available on the same; and
 - ii. The Petitioner shall remain available at his address given in the personal bond furnished before the Jail Superintendent; and
 - iii. The Petitioner shall surrender before the Jail Superintendent in the expiry of 4 weeks from the date of his release.
6. The petition stands disposed of.
7. A copy of this order be sent to concerned Jail Superintendent for information.

DINESH KUMAR SHARMA, J

AUGUST 21, 2024/NG/DG