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

+ **W.P.(CRL) 2428/2024**

DEEPAK

.....Petitioner

Through: Mr. Gautam Khazanchi, Mr. Anuj Aggarwal, Ms. Pooja Deepak, Advocates.

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Amit Peswani, Advocate for Ms.Nandita Rao, ASC for the State. SI Karamveer, PS Mundka, Delhi

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

05.09.2024

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1. The Petitioner has approached this Court for grant of parole in FIR No.142/2011 registered at Police Station Mundaka for offences under Section 302 & 498A IPC.

2. Learned Counsel for the State submits that the Petitioner had been granted furlough on 11.03.2024 and he was out till 25.03.2024. It is further stated that the Petitioner has filed this application for grant of parole on 16.04.2024, which could not have been filed in view of the Rule 1212 of the Delhi Prisons Rules, 2018. Rule 1212 of the Delhi Prisons Rules, 2018 reads as under:-

“1212. A convict would be released on parole for a period of maximum eight weeks in minimum two spells in a conviction year. However, the period of release in one spell would not be more than four weeks. There should be one month gap between parole and last



furlough availed and vice-versa.”

3. In view of the above, this Court is not inclined to consider the present writ petition. However, since more than the period prescribed under Rule 1212 of the Delhi Prisons Rules, 2018 has lapsed, the Petitioner is at liberty to file a fresh application for grant of parole.
4. The application if and when filed has to be considered by the competent authority within a period of four weeks, failing which it is always open for the Petitioner to approach this Court by filing a writ petition.
5. The Petitioner is permitted to file a fresh application for grant of parole/furlough which shall be considered in accordance with law.
6. The petition is disposed of along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

SEPTEMBER 5, 2024

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