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

+ **W.P.(CRL) 2522/2024**

RAJESH RAJA

.....Petitioner

Through: Mr. Gautam Khazanchi, Mr. Vinayak
Chawla and Ms. Aditi Kukreja, Advs.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Rahul Tyagi, ASC for the State
with SI Dharmendra Sharma, PS
Rajinder Nagar.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

17.09.2024

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1. This petition is filed seeking parole for petitioner who is incarcerated for the last 13 years and 2 months (as per the Nominal Roll), being convicted in proceedings arising out of in FIR No. 48/2001 under Sections 302/186/353/34 IPC & 25 Arms Act and Section 68 Excise Act, P.S Rajender Nagar, Delhi.
2. Parole is sought to get better medical treatment as he is suffering from hernia, documents of which have been annexed along with this petition, as also to re-establish social-ties with society and family members after long incarceration. It is further informed by the counsel that an application was also filed on 13th June, 2024 before the Competent Authority however, no decision has been taken.
3. Medical documents have been since verified by the State and a report



has been filed dated 16th September, 2024. Statement of the doctor from the hospital in Chandigarh is also placed on record where he confirms that the petitioner is suffering from hernia and has been advised surgery which was dated 11th September, 2023. It is noted that the petitioner is still to get the said surgery done.

4. The petitioner has been granted furlough since 2016 onwards periodically and has not misused the liberty granted. There is no previous involvement.

5. Accordingly, the petition is allowed.

6. However, it is noted that the petitioner has been out on furlough prior to the same but has not got the surgery done. It is made clear that the same medical reason cannot be utilised subsequently and the petitioner shall take steps to get the surgery done within the period of parole.

7. In view of the above, this Court sees no impediment in granting parole to the petitioner. The petitioner is enlarged on parole for a period of 04 weeks from the date of release subject to 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 Jail Superintendent subject to the following conditions:

- i. The petitioner shall also provide the SHO, P.S Rajender Nagar, Delhi 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.
- ii. The petitioner shall not leave the National Capital Territory of Delhi during the period of parole, without the prior permission of this Court.



- iii. 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 or tamper with the evidence of the case.
- iv. The petitioner is directed to surrender before the jail authorities at the expiry of the period of parole.
- 8. Accordingly, the petition is disposed of.
- 9. Copy of the order be sent to the Jail Superintendent for information and necessary compliance.
- 10. Order be uploaded on the website of this Court.

ANISH DAYAL, J

SEPTEMBER 17, 2024/MK