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

+ **W.P.(CRL) 2641/2024**

SHRI GOPAL @ MANI GOPALPetitioner

Through: Mr. Abhir Datt (DHCLSC), Mr.
Debayan Gangopadhyay and Mr.
Anant Gupta, Advocates.

versus

STATE (G.N.C.T) OF DELHIRespondent

Through: Mr. Amit Peswani, Advocate for
Ms. Nandita Rao, ASC (CRL).
SI Kiranpal Singh, PS Subzi Mandi,
Delhi.

CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

% **01.10.2024**

1. This petition has been filed seeking release of the petitioner on parole for a period of three months in the case arising out of FIR No.98/2003 registered at Police Station Sabzi Mandi. The petitioner was sentenced to rigorous imprisonment for life for conviction under Sections 302/307 IPC and Sections 25/27 Arms Act; and has, so far, undergone about 10 years and 10 months of sentence. There are no previous involvements, however, the petitioner was released on parole in January 2012 for one month. However, petitioner jumped parole and was finally re-arrested on 17th July 2022.

2. Parole is sought on the ground that the petitioner's mother had a



paralytic attack in January 2024; and that his son, who is about 10 years old, is to take admission in Class VI for which, school admission documents are duly appended along with this petition.

3. Status report has been handed up to the Court which confirms that wife of petitioner is residing at Plot No.44, H No. 30/7, Gali No.7, Raghubir Block, Prem Nagar, Najafgarh, Delhi along with her two sons Harsh and Kartik. While the elder son Harsh is pursuing B.A., the younger son is in 6th standard. Other family members of petitioner are also residing at the said address.

4. Statement of petitioner's wife and two neighbours were taken and it was confirmed that petitioner's mother had a paralytic attack in January 2024 and has difficulty in walking and speaking. The family members stated that as regards their dilapidated house, they are taking steps to repair the same.

5. As per the nominal roll, petitioner has been in custody for about 11 years now and has not sought parole since 2022. His jail conduct is also satisfactory and there is no previous involvement.

6. Objection is regarding previous history of petitioner when he jumped parole.

7. Counsel for petitioner states that stricter conditions may be imposed on petitioner in this regard.

8. 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 4 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. During the period the petitioner remains out on parole, the petitioner shall report to the SHO, local Police Station of Najafgarh, Delhi on every Tuesday and Friday at 4:00 pm.
 - ii. The petitioner shall also provide the SHO, PS Najafgarh 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.
 - 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 or tamper with the evidence of the case.
 - v. The petitioner is directed to surrender before the jail authorities at the expiry of the period of parole.
9. Accordingly, the petition is disposed of.
 10. Status report be placed on record by the ASC for the State.
 11. Copy of the order be sent to the Jail Superintendent for information and necessary compliance.
 12. Order be uploaded on the website of this Court.

ANISH DAYAL, J

OCTOBER 1, 2024/sm