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

+ **W.P.(CRL) 2807/2024**

NARESH @ RAJU

.....Petitioner

Through: **Ms. Jahanvi Worah, Advocate**

versus

STATE (GOVT. OF NCT OF DELHI)

.....Respondent

Through: **Mr. Sanjay Lao, Standing Counsel
(Crl.) with Ms. Priyam Aggarwal &
Mr. Abhinav Kumar Arya,
Advocates for the State
SI Ramesh PS Nihal Vihar**

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

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11.09.2024

CRL.M.A. 27458/2024

1. Allowed, subject to all just exceptions.
2. application stands disposed of.

W.P.(CRL) 2807/2024

1. This petition is filed seeking parole for the petitioner for a period of 4 weeks.
2. Petitioner was arrested in FIR No. 174/2011 for offences punishable under Sections 302/307 IPC PS Nihal Vihar. Petitioner was convicted by order dated 11th October 2019 and sentenced for life.
3. Appeal filed by the petitioner was dismissed by this Court by order dated 28th April 2022 and thereafter SLP has also been dismissed.



4. As per the nominal roll, petitioner has undergone 12 years 2 months of incarceration including remission of about 1 (one) year and 2 months. Jail conduct is satisfactory except for two incidents of 2013 and 2019. Petitioner was granted interim bail in January 2020 for 60 days and then in July 2020 for 8 weeks during covid pandemic, which was extended till 19th March 2021. Parole was granted to petitioner by this Court in November 2022 for 14 days and then in December 2023 for 4 weeks. There is nothing on record to suggest that petitioner has misused the liberty granted to him, except for a slight delay in surrender during interim bail granted during covid pandemic.

5. Parole is sought for reestablishing social ties with the family and for financial support to them, since he is the only male member with 2 minor children and a widowed mother who is aged 65 years and suffering from old age ailments.

6. As per order dated 29th April 2024, the competent authority had to decide the application of petitioner within two weeks, however, as per Standing Counsel, considering the administrative difficulties, the decision has not been taken as yet.

7. In these facts and circumstances, petition is allowed. 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. Address of petitioner, as mentioned in the nominal roll, be verified by the Jail Superintendent.
- ii. The petitioner shall also provide the Jail Superintendent 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.

- 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 11, 2024/sm