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

+ **W.P.(CRL) 2939/2024**

RAJBIR

.....Petitioner

Through: Mr. Arman Sharma Advocate and
Mohd Aman Khan Afghani,
Advocate.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Rahul Tyagi, ASC for State along
with Ms. Priya Rai, Mr. Sangeet
Sibou, Mr. Mathew M. Philip, Mr.
Aniket Kumar Singh, Advocates &SI
Lokendra Singh, PS: Malviya Nagar.

CORAM:

HON'BLE MR. JUSTICE ANISH DAYAL

ORDER

16.12.2024

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1. This petition has been filed seeking parole for a period of three months to the petitioner in FIR No.566/1998 registered at P.S Saket under Sections 302/34 IPC. Petitioner has been in custody for about 13 years and has no previous involvements and has been released on parole and furlough previously as well.

2. Subsequently, while petition was pending, parole application was rejected by the Competent Authority. As per the order rejecting parole, it was noted that rejection was based on a gravity of the offence committed by the convict. It was also noted that as per the Nominal Roll, convict



surrendered late two times, after interim bail was granted, as per the police verification before.

3. As per Nominal Roll, petitioner has undergone 15 years in custody including remission and have no previous involvement and Jail conduct has been satisfactory and has been granted parole/furlough throughout 2020, 2021, 2023 and 2024. The delay in surrender was for four and three days respectively on two occasions.

4. Further, considering the plea for the parole was that he was required for the repair of his house, the verification was done. Status Report has been filed which states that the safety wall of the terrace of the petitioner's house has been broken. Statement of the petitioner's wife was also recorded. She stated that she lives alone as both of her sons are out of Delhi. She stated that they had to repair the wall but unable to do it as she is alone at home.

5. In view of the above, the petition is allowed. This Court sees no impediment in granting parole to the petitioner. The petitioner is enlarged on parole for a period of four 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, Police Station Malviya Nagar, Delhi on every Saturday.
- ii. Petitioner shall also provide the SHO, Police Malviya 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.



- iii. 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.
- v. The petitioner is directed to surrender before the jail authorities at the expiry of the period of parole.
- 6. Accordingly, the petition is disposed of.
- 7. Copy of the order be sent to the Jail Superintendent for information and necessary compliance.
- 8. *Dasti.*
- 9. Order be uploaded on the website of this Court.

ANISH DAYAL, J

DECEMBER 16, 2024/ak/tk