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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 3674/2024**
ZAKIR

.....Petitioner

Through: Mr. Shiv Chopra and Ms. S. Arora,
Advocates.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Sanjay Lao, Standing Counsel
(Crl.) with Ms. Priyam Agarwal,
Advocate for State along with
Inspector Rizwan Khan P.S. Amar
Colony.

CORAM:
HON'BLE MR. JUSTICE MANOJ KUMAR OHRI

ORDER
18.12.2024

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1. By way of present writ petition, the petitioner seeks release on parole for a period of 4 weeks.
2. The petitioner is a convict in context of the trial held in FIR No. 359/2011 registered at P.S. Amar Colony, Delhi for the offences punishable under Sections 302/404/201/34 IPC. The petitioner's request for release on parole has been rejected by the competent authority vide order dated 21.10.2024 primarily for the reason that the petitioner has been awarded major punishment in regard to punishment ticket dated 08.05.2023. It is stated that the petitioner was released on emergency parole *w.e.f.* 16.05.2021 to 15.08.2021, extended from time to time on account of HPC Guidelines,



however he surrendered one month late.

3. Learned counsel for the petitioner submits that the punishment ticket was issued because of his late surrender. He submits that the petitioner's release was due to the HPC Guidelines during Covid-19 outbreak and on account of no clear indication, the petitioner could not surrender in time. He submits that on coming to know of the surrender by the other inmates, the petitioner voluntarily surrendered on 08.05.2023.

4. Learned Standing Counsel submits that the punishment ticket has been awarded last year and the petitioner needs to have has 3 annual good conduct reports for being considered for grant of parole.

5. I have heard learned counsels for the parties and gone through the records.

6. The only reason for denial of the parole application by the competent authority is petitioner's late surrender. Keeping in view the explanation furnished by the petitioner, the petition is allowed. The petitioner is directed to be released on parole for a period of two weeks from the date of his release subject to him 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) Petitioner shall report to the concerned IO/SHO of the concerned P.S. once a week on every Monday during the period of parole.

(ii) Petitioner shall furnish his telephone number to the IO/SHO of the concerned police station, which the petitioner will keep operational at all times.

(iii) Petitioner shall not enter in the close vicinity of where the complainant resides.



(iv) Petitioner shall surrender before the Jail Authorities at the expiry of the period of parole.

7. The writ petition is disposed of in above terms.

8. Copy of the order be communicated to the concerned Jail Superintendent for information and necessary compliance.

MANOJ KUMAR OHRI, J

DECEMBER 18, 2024/ssc