



\$~13

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

+ **W.P.(CRL) 3716/2024**

MUKESH @ KARKA

.....Petitioner

Through: Mr. Chetan Bhardwaj, Mr. Priyal
Bhardwaj, Advocates.

versus

STATE GNCT OF DELHI

.....Respondent

Through: Mr. Sanjay Lao, Standing Counsel for
State along with Mr. Abhinav Kumar,
Advocate & SI Rekha Chauhan, PS:
Pandav Nagar.
SI Rekha, PS: Pandav Nagar.
Mr. Satinder Singh Bawa, APP for
State

**CORAM:
HON'BLE MR. JUSTICE ANISH DAYAL**

ORDER
05.12.2024

%

1. Pursuant to the previous order of this Court, Status Report has been filed by State. It was confirmed that petitioner has a 2-year-old daughter and her *mundan* ceremony is scheduled but could not be performed as the petitioner was not granted parole.
2. The wife of the petitioner states that the date for the *mundan* ceremony will be fixed only after the petitioner is released on parole.
3. There are some other family members i.e. mother, wife, minor daughter, younger sister, and brother. The inquiry revealed that financial



status of the petitioner is poor.

4. The parole is sought in FIR no. 131/2010 under Sections 394/397/302/307/34 IPC registered at PS Pandav Nagar. The petitioner has been in custody and has been sentenced to RI for life for offence under Section 302 IPC.

5. The criminal appeal being **CRL.A. 829/2012** was dismissed by this Court on 26th September, 2017 and the **SLP (Crl.) 41139/2018** has been dismissed by the Apex Court on 22nd November, 2018.

6. Total period undergone is about 16 years including remission. He was granted parole and furlough on various occasions between 2018-2023, as is evident from the Nominal Roll.

7. However, in 2021, when the petitioner was released on emergency parole, which was extended till 2023, he was re-arrested in FIR no. 90/2023 under Sections 392/34 IPC at PS Pandav Nagar, on which he is on bail.

8. Counsel for petitioner states on instructions that wife of the petitioner shall provide the surety.

9. 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 two 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 mark presence physically before the SHO, PS Pandav Nagar, Delhi every Friday at 04:00 P.M..



- ii. The petitioner shall also provide the SHO, Police Pandav 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. 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.
10. Copy of the order be sent to the concerned Jail Superintendent for information and necessary compliance.
 11. Accordingly, the petition is disposed of.
 12. Order be uploaded on the website of this Court.

ANISH DAYAL, J

DECEMBER 5, 2024/RK/sc

Click here to check corrigendum, if any