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

+ **W.P.(CRL) 121/2025 & CRL.M.A. 4077-4078/2025**

VIJAY DAHIYA

.....Petitioner

Through: **Mr. Kaushal Mehta and Ms. Neha Kapoor Advocates (through VC)**

versus

STATE OF NCT OF DELHI

.....Respondent

Through: **Insp. Sandeep Kumar, NR-II Crime Branch
Mr. Yasir Rauf Ansari, ASC (Crl.) for State with Mr. Alok Sharma, Mr. Amit Sahni and Mr. Vasu Agarwal, Advocates**

CORAM:

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

ORDER

% 14.02.2025

1. The present petition has been filed under Article 226 of the Constitution of India read with Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 ('BNSS') seeking release of Petitioner on parole in FIR No. 862/2016 under Sections 302/201/120B/34 of the Indian Penal Code, 1860 (IPC) registered at P.S S.B Dairy for a period of two (2) months.
2. At the outset, learned counsel for the Petitioner states that Petitioner is seeking parole only for a period of four (4) weeks as per his eligibility for the conviction year starting on 09.02.2025.
3. The Petitioner seeks parole on the ground that the Petitioner needs to take steps for arranging the fee of his minor children, taking steps for the admission of his child into Class 9 and for repaying a loan taken by his wife.



4. Respondent-state has filed a status report dated 01.02.2025 duly verifying the grounds raised in the petition.

5. However, the learned ASC submits that the co-convict, Mr. Jeet Dahiya, is already out on parole for four weeks, effective from 03.02.2025, and is scheduled to surrender on or around 04.03.2025. He states that therefore, the Petitioner cannot be released on parole during this period.

6. In reply, learned counsel for the Petitioner states the Court may grant parole to the Petitioner and make it conditional to record that Petitioner will avail the parole after the co-convict Jeet Dahiya, has surrendered.

7. In the facts noted above, this Court sees no impediment in granting parole to the Petitioner. The Petitioner's overall conduct and conduct during last one (1) year both have been reported to be satisfactory. There is no dispute as regards Petitioner's entitlement to parole in the new conviction year 09.02.2025. Accordingly, the Petitioner is enlarged on parole in FIR No. 862/2016 under Sections 302/201/120B/34 IPC registered at PS S.B Dairy for a period of four (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. Petitioner shall furnish One surety of Rs. 10,000/- (Rupees Ten Thousand only) alongwith a personal bond of the like amount for his release on parole to the satisfaction of the Superintendent, Central Jail, Tihar.
- ii. Petitioner shall provide his mobile number to the Superintendent, Central Jail, Tihar.



- iii. Petitioner shall maintain peace and good behavior during his period of release on parole.
 - iv. Petitioner will remain at his residence during the period of his release on parole and his ordinary place of residence shall be:- H. No. 2/149, Block-H, Pocket-2, Sector-16, Rohini, Delhi.
 - v. Petitioner shall report once in two weeks on a Tuesday to Police Station under which his ordinary place of residence falls, at 04:00 P.M. during the period of his release on furlough. The Petitioner shall not be kept waiting beyond 05:00 P.M.
 - vi. Petitioner shall surrender to the Superintendent, Central Jail, Tihar, New Delhi on the expiry of his period of release on parole.
8. It is made clear that the Petitioner will be entitled to avail this parole after the co-convict Jeet Dahiya has duly surrendered.
9. The digitally signed copy of this order, duly uploaded on the official website of the Delhi High Court, www.delhihighcourt.nic.in, shall be treated as a certified copy of the order for the purpose of ensuring compliance. No physical copy of order shall be insisted by any authority/entity or litigant.

MANMEET PRITAM SINGH ARORA, J

FEBRUARY 14, 2025/msh/AKT

Click here to check corrigendum, if any