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

+ W.P.(CRL) 321/2025

IRSHAD AHMED

.....Petitioner

Through: Mr.Satyam Thareja, Adv. (DHCLSC).

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Mr.Rahul Tyagi, ASC for the State
with Vishan Kumar, ANTF, Crime
Branch.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

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18.02.2025

1. A Criminal Writ Petition under Article 226 Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*hereinafter referred to as "BNSS"*) has been filed on behalf of the Petitioner to quash the Order dated 02.01.2025 *vide* which Application for Parole filed by the Petitioner, has been rejected by the State and has sought grant Parole to the Petitioner for a period of four weeks for maintaining social ties and to perform post marriage ceremonies of his daughter *Chaiyla* (*Bidai as per Muslim custom*).

2. The Application is opposed on behalf of State on the ground that on the earlier occasion when he was granted parole in 2017, he failed to surrender and was re-arrested on 10.06.2022 i.e. almost after 4 ½ years. Considering his past conduct, there is every likelihood that he may misuse



his liberty.

3. Furthermore, Rule 1210 Sub-rule (4) of the Delhi Prison Rules, 2018 provides that the convict should not have violated any terms and conditions of Parole or Furlough granted. Rule 1211 of the Delhi Prison Rules, 2018 further provides that the Parole shall not be granted except in the discretion of the Competent Authority in special circumstances, where the Petitioner are considered dangerous or have been enrolled in serious prison violence or have been re-arrested when they absconded while released on Parole or Furlough. In the circumstances, since his previous Furlough conditions have not been abided by him, the Parole is strictly contested.

4. **Submissions heard and record perused.**

5. The record shows that when the Parole was granted on the earlier occasion, he failed to surrender on time and was arrested after almost 4 ½ years. Earlier also, Parole was sought by him for marriage of his daughter in which he was granted custody parole. However, on specific query, learned counsel for the petitioner submits that the Petitioner is not inclined for a custody parole.

6. Therefore, considering the reasons discussed above and also that the Parole is sought for performing *Chaiyla* ceremony of the daughter, who had got married on 19.06.2024, there is no merit in the present petition, which is hereby dismissed.

NEENA BANSAL KRISHNA, J

FEBRUARY 18, 2025/VLD