



\$~9

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

+ **W.P.(CRL) 420/2025**

AAS MOHD.

.....Petitioner

Through: **Mr. Utkarsh Singh, Advocate.**

versus

STATE (GOVT. OF NCT OF DELHI)

.....Respondent

Through: **Mr. Yasir Rauf Ansari, ASC with Mr. Alok Sharma and Mr. Vasu Agarwal, Advocates.**

SI Rajak Ahamad, PS: Sangam Vihar.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

19.02.2025

%

1. Through the present petition, the Petitioner, who is a life convict in terms of FIR no. 859/2004 under Sections 302, 201 and 34 of the Indian Penal Code, 1860¹ and Section 25 of the Arms Act, 1959², registered at P.S. Sangam Vihar, Delhi, seeks grant of parole for a period of 4 weeks on account of the ill health of his infant child.

2. On the previous date, considering the urgency involved in the present case, this Court had directed that the present writ petition be considered as a representation of Petitioner, and a decision on the same be taken by the Hon'ble The Lieutenant Governor of Delhi, within a period of one week. Pursuant to the aforementioned direction, the representation of Petitioner, for grant of parole has been declined.

¹ "IPC"

² "Arms Act"



3. The letter communicating the said rejection, as conveyed by the Deputy Secretary (Home) GNCTD to the concerned Jail Superintendent, have been filed by the State *vide* Diary no. 1209266/2025 and the same is taken on record. The reason for rejection, as indicated in the said letter, is that Petitioner is not eligible for parole in view of sub-rule (IV) and (V) of Rule 1210 as well as Rule 1242 of the Delhi Prison Rules, 2018. Furthermore, the overall jail conduct of the Petitioner has been found to be unsatisfactory on account of multiple punishments awarded to him.

4. The Court has considered the contentions of the Petitioner as well as the aforementioned rejection letter. Although the Petitioner was recently released on parole, yet considering the fact he has already undergone a sentence of nearly 22 years, and has to attend to the urgent medical needs of his minor child, the Court is inclined to accept his request for grant of parole. Accordingly, it is directed that Petitioner be released on parole, for a period of three weeks from the date of his release, subject to him furnishing a personal bond of INR 10,000/- with one surety of the like amount, to the satisfaction of the concerned Jail Superintendent/ Duty Judicial Magistrate/ Link Judicial Magistrate/ concerned Court and subject to the following conditions:

- i) The Petitioner shall not leave the NCT of Delhi, during the period of parole, without the prior permission of the concerned Court;
- ii) At the time of furnishing bail bond, the Petitioner shall provide the mobile number(s) to the concerned Jail Superintendent and SHO - Sangam Vihar, Delhi, which mobile number(s) shall be kept operational at all times during the period of his release;
- iii) In case of any change of residential address or contact details, the



Petitioner shall promptly inform the same to the concerned Investigating Officer as well as to the concerned Court.

- iv) The Petitioner shall not directly/ indirectly try to get in touch with the complainant or any other prosecution witnesses during his period of release.
 - v) The Petitioner shall positively surrender before the concerned Jail Superintendent, on the expiry of the period of parole.
5. With the above directions, the present petition stands disposed of.
6. Copy of the order be communicated to the concerned Jail Superintendent electronically for information and necessary compliance.

SANJEEV NARULA, J

FEBRUARY 19, 2025

d.negi