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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 629/2025**
MANOJ ALIAS BOOZAPetitioner

Through: Mr. Sunil Upadhyay, Advocate.

versus

STATE NCT OF DELHIRespondent
Through: Mr. Sanjeev Bhandarei, ASC
(Criminal) with Mr. Arjijt Sharma
and Mr. Nikunj Bindal, Advocates.
SI Sandeep Yadav, P.S. Sadar Bazar,
Delhi.

CORAM:
HON'BLE MR. JUSTICE SANJEEV NARULA

% **ORDER**
28.02.2025

1. The present petition has been filed under Article 226 of the Constitution of India, 1950 read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, (formerly, Section 482 of the Code of Criminal Procedure, 1973) seeking parole for a period of one month. The Petitioner was convicted through order dated 23rd February, 2019 passed by the ASJ-02 (Central), Tis Hazari Courts in proceedings arising from FIR No. 81/2010 registered under Section 302/34 of the Indian Penal Code, 1860¹ at P.S. Sadar Bazar. Additionally, through order dated 13th March, 2019, the Petitioner was directed to undergo life imprisonment. His appeal against the

¹ "IPC"



conviction Criminal Appeal No. 619/2019 was dismissed by this Court by judgment dated 6th November, 2019.

2. The Petitioner submitted his request for parole on 8th February, 2025 for attending the death anniversary of his grandmother which is scheduled for 2nd March, 2025.

3. Since the Petitioner's request was pending consideration, the Court on 24th February, 2025 directed the Respondent to take a decision on the request. The Court is informed that since certain documents, which were requisitioned from the jail authorities, were not received, the decision could not be taken.

4. In the above circumstances, the Court has heard counsel for the parties.

5. The Respondent's objection for grant of parole is premised on Rule 1212 of the Delhi Prisons Rules, 2018 which stipulates that there should be one month gap between the parole and last furlough availed and vice versa. Since the last furlough was granted on 15th January, 2025 for a period of two weeks with the direction to surrender on 30th January, 2025, the Petitioner's entitlement for parole will only arise after one month from the date of surrender.

6. The death anniversary is scheduled for 2nd March, 2025, by which the one-month period would expire.

7. The address of the Petitioner has been verified by the Investigating Officer.

8. This Court acknowledges the exceptional family circumstances that have arisen in Petitioner's family. In granting parole, the Courts are required to strike a balance between the interest of the convict and society. However,



in cases like the present one, the court must exercise sensitivity and compassion. Considering the Petitioner's request, an opportunity may be granted to the Petitioner to attend his grandmother's death anniversary on 2nd March, 2025.

9. Considering the aforesaid facts and circumstances, this Court is inclined to grant parole to the Petitioner for a period of three weeks from the date of his release on the following conditions:

- i. The Petitioner shall furnish a personal bond in the sum of INR 10,000/- with one surety of the like amount, to the satisfaction of the Jail Superintendent.
- ii. The Petitioner shall report to the SHO of the local area once a week on every Sunday between 10:00 AM to 11:00 AM.
- iii. The Petitioner shall furnish a telephone/mobile number to the Jail Superintendent as well as SHO of local police station, on which he can be contacted if required. The said telephone number shall be kept active and operational at all the times by the Petitioner.
- iv. Immediately upon the expiry of period of parole, the Petitioner shall surrender before the Jail Superintendent.
- v. The period of parole shall be counted from the day when the Petitioner is released from jail.

10. In above terms, the present petition is disposed of.

SANJEEV NARULA, J

FEBRUARY 28, 2025

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