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

+ **W.P.(CRL) 907/2023**

RAM NATH DAS

.....Petitioner

Through: Ms. Priyal Bhardwaj, Ms. Kavita
Sharma and Ms. Sezal Sharma,
Advocates.

versus

**THE GOVERNMENT OF NCT OF DELHI
& ANR**

.....Respondents

Through: Ms. Rupali Bandhopadhyaya, APP for
the State and Ms. Amisha Gupta,
Advocate.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

24.11.2025

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1. The present writ petition was filed seeking setting aside of order dated 17th January, 2022, rejecting the Petitioner's request for pre-mature release. During the pendency of these proceedings, the Petitioner's request has been declined on multiple subsequent occasions, most recently in the meetings dated 30th August, 2024 and 18th September, 2024. The minutes of aforementioned meetings, therefore, form the subject matter of the challenge in this petition.

2. The Petitioner is a convict, serving life imprisonment in FIR No. 445/2000, P.S. Prashant Vihar, for the offences under Sections 302/307/397/34 of the Indian Penal Code, 1860. The Trial Court had convicted the Petitioner by judgment dated 27th April, 2005 and had sentenced him to life imprisonment. The Petitioner preferred Criminal



Appeal No. 576/2005, which was dismissed by the judgment of this Court dated 31st December, 2007. The Petitioner did not assail the same before the Supreme Court.

3. Upon becoming eligible for premature release as per the policy dated 16th July, 2004, issued by the Government of NCT of Delhi, the case of the Petitioner was considered and rejected by minutes of meetings held on 30th August, 2024 and 18th September, 2024, which read as follows:

“RAM NATH DASS S/O SH. KEWAL DAS - AGE-53 YRS.

Ram Nath Dass S/o Kewal Das is undergoing life imprisonment in case FIR No. 145/2000, U/S 302/307/397/34 IPC P.S. Prashant Vihar, Delhi, for murder of an old age lady while committing robbery.

Eligibility for consideration of the case:

14 years of actual imprisonment i.e. without remission.

The convict has undergone:

Imprisonment of 19 years, 02 months & 20 days in actual and 23 years 09 months & 03 days with remission. He has availed Parole 03 times. He jumped parole w.e.f. 26.03.2014 to 21.04.2018.

This case has been considered under the policy/order dated 16.07.2004 issued by the Govt. of NCT of Delhi i.e. policy that was existing on the date of conviction.

Conclusion:

*The Board considered the reports received from Police and Social Welfare Departments and took into account all the facts and circumstances of the case under which the crime was committed. The convict had committed murder of an old age lady during robbery at her house and also injured her domestic helper. Considering the gravity and perversity of the offence, previous criminal history of the convict, un-satisfactory jail conduct in view of jumping of parole for a long period of more than 04 years, non-reformative attitude, possibility of committing crime again, the Board after discussion at length unanimously **REJECTS** premature release of convict Ram Nath Dass S/o Sh. Kewal Das at this stage.”*

4. Apart from recording cyclostyled reasons such as the gravity of the offence and the Petitioner’s previous criminal history, the rejection is also founded on his unsatisfactory jail conduct, specifically on account of his overstaying parole for a period of more than four years. According to the SRB, this conduct reflects a non-reformative attitude.

5. In view of these observations, this Court, on 8th September, 2025, had directed the Petitioner to file an affidavit, explaining the delay in



surrendering. In compliance thereof, the Petitioner has filed an affidavit attributing the delay in surrendering to certain family circumstances. It is stated that the Petitioner was released on parole in 2014, following his mother's demise, during which period he was solely responsible for the care of his ailing father, who suffered from multiple age-related ailments. He submits that these obligations constrained him from surrendering within the stipulated time. His father passed away on 4th November, 2014, after which the entire responsibility of caring for his physically challenged brother fell upon him until the latter's death in 2018. The Petitioner further states that he continued to reside in the same locality and undertook tailoring work to support the family. He also highlights that since his re-arrest in April 2018, he has remained in custody for nearly five years with an unblemished record, and that he committed no offence during the period of parole overstay.

6. Counsel for the Petitioner further emphasises that the delay in surrendering was attributable to compelling and exceptional family circumstances and that no offence was committed by the Petitioner during the period of non-surrender. It is also submitted that the social welfare report is favourable to the Petitioner.

7. The Court has considered the submissions advanced. As per the latest nominal roll on record dated 07th January, 2025, the Petitioner has undergone 19 years, 11 months and 14 days of actual incarceration and has earned remission of 05 years, 01 month and 08 days. The nominal roll further indicates that while his conduct during the past one year is satisfactory, his overall conduct is noted as unsatisfactory owing to the punishment imposed on 22nd April, 2018 for overstaying parole. While the



Court is certainly not satisfied by the explanation offered of the prolonged delay of over four years in surrendering. The Petitioner ought to have surrendered within the stipulated time. Nonetheless, it is significant that no instance of re-offending or criminal involvement was reported during the period of parole overstay. Furthermore, since his surrender, the Petitioner has remained in custody without any recorded misdemeanour, and the good conduct certificates issued thereafter indicate reformative progress. He has already undergone punishment for the parole violation and was, in addition, denied the benefits of parole and furlough until 2024 on account of the delay in surrendering. In these circumstances, the said delay, though relevant, ought not by itself to preclude consideration of the Petitioner's case for premature release.

8. In light of the foregoing, the Court is of the view that the lapse of four years in surrendering, though a relevant factor, ought not to be accorded disproportionate weight in the adjudication of his application for premature release. The SRB is directed to reconsider the Petitioner's case for premature release, taking into account his subsequent conduct, reformative indicators, the absence of re-offending, and all other relevant inputs from the police and jail authorities, and take an appropriate decision, in accordance with law.

9. With the above directions, the petition is disposed of.

SANJEEV NARULA, J

NOVEMBER 24, 2025/MK