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

+ **W.P.(CRL) 1005/2025**

VIJAY SINGH ALIAS VIJAY PEHLWAN

.....Petitioner

Through: Mr. Mohit Mathur, Sr. Advocate with
Ms. Neha Kapoor and Mr. Kaushal
Mehta, Advocates.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Sanjeev Bhandari, Ld. ASC for
State with Insp. Ram Phool P.S.
Vasant Kunj (N).

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

09.04.2025

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1. A Writ Petition under Article 226 of the Constitution of India read with Section 482 Cr.P.C/Section 528 BNSS has been filed on behalf of the Petitioner for release on Parole for a period of one month in FIR No.127/2011 under Section 364/302/365/201/34 IPC Police Station Vasant Kunj (North).

2. It is submitted that the Petitioner has two sons out of whom the elder son has to get married on 24.04.2025 for which the festivities shall commence on 15.04.2025. The Petitioner had filed an Application for Parole on 21.02.2025 for filing of SLP before the Supreme Court of India against his conviction and for maintaining social ties with the family and to



fulfil his family obligations. However, till date the Application has not been decided and hence, the present Petition has been filed for grant of Parole for a period of one month.

3. Learned Senior Advocate for the Petitioner submits that during the trial he had suffered jail for about 8 years. Even after his Conviction by the learned Sessions Judge, the Appeal was preferred against the Conviction and Sentence before this Court, which has also been decided on 19.02.2025 and the Conviction and Sentence has been upheld.

4. It is further submitted that while the Appeal was pending, the Petitioner was granted in all five weeks Interim Bail in all, for his medical treatment. He never misused his liberty and surrendered on time. The four week Parole is sought on account of marriage of his son and also for filing of the SLP by the Petitioner.

5. **Learned counsel for the State** submits that the Parole Application has been decided on 08.04.2025 and the request for Parole has been rejected in terms of the Rule 1210 Sub Rule 1 of Delhi Prison Rules, 2018, which requires that a Convict must have served a period of one year in prison excluding the under trial period and any period of remission. In exceptional cases, where the Prisoner has spent more than three years as Under Trial Prisoner and half of the sentence of the punishment, his Parole Application must be considered if he has spent six months imprisonment as convict.

6. It is, therefore submitted that there is no merit in the present Petition. However, the Respondent shall abide by the Orders of this Court.

7. **Submissions heard and record perused.**

8. The rejection of the Parole Application has been done by reference to Rule 1210 Sub Rule 1 of Delhi Prison Rules, 2018. However, this Rule



itself provides that if a Convict has suffered more than one year of imprisonment and has remained in custody for one year, his Application for Parole may be considered. As has been submitted, not only the Petitioner suffered about eight years of imprisonment as an Under Trial Prisoner, but has spent more than one year of imprisonment as Convict. Despite there being a specific provision to consider such Applications, it has been mechanically rejected by the Jail Authorities.

9. It has been duly verified that the marriage of the son is on 19/20.04.2025.

10. Considering the circumstances, the Petitioner is admitted to Parole from 15.04.2025 for a period of four weeks subject to furnishing of Personal Bond in the sum of Rs.10,000/- with one Surety Bond in the like amount, to the satisfaction of Jail Superintendent, subject to following conditions:

- (i) The Petitioner shall not threaten the family members of the victim;
- (ii) The petitioner shall not leave NCR Region without informing the local SHO;
- (iii) The petitioner shall furnish his mobile phone/landline number and residential address as well as that of his surety to the jail Superintendent/SHO and both shall keep their mobile/landline phones operational at all times during the parole period and in the event of any change of the same, will immediately inform the same to the Jail Superintendent/SHO; and,
- (iv) The petitioner shall drop a pin location on Google Maps so that his location is available to the Jail Superintendent/SHO.



11. The Status Report filed today, be taken on record.
12. The Petition is accordingly disposed of.

NEENA BANSAL KRISHNA, J

APRIL 9, 2025/va