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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(CRL) 1442/2025

MANISH KUMAR @ TINU

.....Petitioner

Through: Ms. Monisha Ali Khan,
Adv.

versus

GOVT OF NCT OF DELHI

.....Respondent

Through: Mr. Sanjeev Bhandari,
ASC for the State with SI
Jagat Singh, PS Delhi
Cantt.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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27.05.2025

1. By the present petition, the petitioner prays as under :

A) *To issue an appropriate Writ in the nature of Certiorari Quashing of Order No. F.18/318/2015/HG/251, dated 30.01.2025, passed by Ld. DY. Secretary (General) Department, Govt. of NCT Delhi.*

B) *To issue an appropriate Writ in the nature of "Mandamus" directing the Respondent to release the Petitioner on Parole for a period of two months for filing SLP".*

C) *Any other order and directions which this Hon'ble court may deem fit and proper in the above stated facts and circumstances of the case, may also kindly be passed in favor of the petitioner, in the interest of justice.*

2. The petitioner's application seeking parole was rejected by the respondent authorities in terms of Rule 1210 (II) of the Delhi Prison Rules, 2018, which provides that the conduct of the



prisoner who has been awarded major punishment for any prison offence should have been uniformly good for the last two years from the date of application in order to be eligible for parole.

3. The respondent authorities noted that the punishment dated 16.12.2024 was awarded to the petitioner, which is a major punishment as per Rule 1271 of the Delhi Prison Rules, 2018.

4. The punishment dated 16.12.2024 was awarded to the petitioner since he had failed to surrender on time while on parole in FIR No. 50/2008.

5. The petitioner had given a representation / reply pointing out the reason for not surrendering on time. The petitioner's justification for not surrendering on time was accepted by the learned District Judge, Central District, Tis Hazari Court by order dated 28.01.2025, who found the same to be satisfactory and did not approve of the punishment.

6. In view of the above, the petitioner's application seeking parole cannot be rejected for the reason of award of punishment dated 16.12.2024 and the impugned order dated 30.01.2025 is thus set aside.

7. The respondent authorities are directed to pass an order afresh preferably within a period of three weeks from date.

8. The present petition is disposed of in the aforesaid terms.

9. A copy of this order be communicated to the learned Deputy Secretary (Home), Govt. of NCT of Delhi, for necessary compliance.

AMIT MAHAJAN, J

MAY 27, 2025/ 'KDK'