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

+ W.P.(CRL) 1474/2025

DEVENDER SINGH

.....Petitioner

Through: Mr. Nishant Tyagi, Adv. through VC.

versus

STATE NCTOF DELHI

.....Respondent

Through: Mr. Yasir Rauf Ansari, ASC

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

14.05.2025

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1. The present writ petition under Article 226 of the Constitution read with Section 482 Cr.P.C. (now Section 528 BNSS) seeks a writ of mandamus directing the respondent to release the petitioner on parole for five weeks, as the petitioner's son-in-law, who was suffering from severe lung and kidney ailments, passed away on 27.03.2025, leaving behind the petitioner's daughter and two minor children aged 15 and 9 years.

2. The learned counsel for the petitioner submitted that the petitioner's daughter, who is a single mother of two minor sons, is going through a difficult phase and requires the emotional and financial support of the petitioner, her only family member. Furthermore, it is submitted that the petitioner's presence is essential as his daughter's in-laws are financially weak and unable to support her, and there is no one else in the family to



stand by her. It is further submitted that the petitioner has maintained good conduct in jail, is working as a Jail Sahayak, and has not received any punishment tickets. It is further submitted that denying parole would violate the petitioner's fundamental rights under Articles 14 and 21 of the Constitution, as parole is part of the reformatory process and essential for maintaining family and social ties.

3. Learned counsel for the petitioner submitted that despite specific directions issued by this Hon'ble Court in WP(Crl) No. 1187 of 2025 on 16.04.2025 to consider the petitioner's plea as a parole application and decide it within a week, no action has been taken by the jail authorities and remains undecided till date.

4. Learned ASC for the State has submitted that he has no objection to the grant of parole to the petitioner. It is further submitted that the status report confirms the genuineness of the death certificate placed on record by the petitioner which is annexed as Annexure A. The said certificate has been duly verified from the Municipal Council, Khekra, Baghpat. Status report is taken on record.

5. This Court has considered the submissions.

6. As per the nominal roll dated 13.05.2025 placed on record, it is evident that the petitioner had earlier been granted parole from 12.10.2018 to 12.11.2018. However, the petitioner failed to surrender upon the expiry of the parole period. Instead, he remained absent for an extended duration and eventually surrendered only on 13.09.2022. This conduct clearly indicates that the petitioner had jumped parole and remained at large for a substantial period of nearly four years. It further indicates that the petitioner has undergone a custody period of 6 years 8 months 17 days as on 13.05.2025.



7. It is to be noted that Rule 1200 of the Delhi Prison Rules, 2018 provides insights into the objectives which are sought to be achieved by releasing a convict on parole or furlough. Rule 1200 reads as under:

“1200. The objectives of releasing a prisoner on parole and furlough are:

- i. To enable the inmate to maintain continuity with his family life and deal with familial and social matters,*
- ii. To enable him to maintain and develop his self-confidence,*
- iii. To enable him to develop constructive hope and active interest in life,*
- iv. To help him remain in touch with the developments in the outside world,*
- v. To help him remain physiologically and psychologically healthy,*
- vi. To enable him to overcome/recover from the stress and evil effects of incarceration, and*
- vii. To motivate him to maintain good conduct and discipline in the prison.”*

6. Taking into account the facts and circumstances and on completely humanitarian grounds, this Court is inclined to grant parole to the present petitioner for a period of 2 weeks from the date of his release, on him furnishing a personal bond of Rs. 10,000/- with a surety of the like amount to the satisfaction of the concerned Jail Superintendent, on the following conditions:-

- a) The memo of parties indicates that the petitioner resides at Village Patouli, Baghat, Uttar Pradesh. In the event of any change in the petitioner's address, he is directed to promptly notify the concerned Jail Superintendent.
- b) The petitioner shall report to the SHO, PS Kotwali, once a week, i.e.,



every Tuesday at 10:00 AM. The concerned officer shall release the petitioner by 11:00 AM after recording his presence and completing all necessary formalities.

- c) The petitioner shall not leave India during the period of parole.
 - d) The petitioner shall provide his mobile number to the concerned jail authorities and to the Investigating Officer and ensure it remains operational at all times.
 - e) The petitioner shall not attempt to contact the victim's family or any of the co-accused, in any manner or go near their residence at any time.
 - f) The petitioner shall surrender before the concerned jail authorities immediately upon the expiry of his parole.
7. With the above directions, the petition stands disposed of.
8. Copy of the order be sent to the concerned Jail Superintendent for information and necessary compliance.

RAVINDER DUDEJA, J

MAY 14, 2025/NA