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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 1776/2025 & CRL.M.A. 16532/2025**

RAJEEV@DIWANJI

.....Petitioner

Through: Ms. Madhu Rani, Adv.

versus

STATE (GOVT OF NCT OF DELHI)Respondent

Through: Mr. Sanjeev Bhandari
ASC (Crl) for the State
along with Mr. Arjit
Sharma & Mr. Nikunj
Bindal, Advs.
SI Dharamendra Kumar,
PS Pahar Ganj.

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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26.05.2025

CRL.M.A. 16533/2025 (exemption)

1. Exemption allowed, subject to all just exceptions.
2. The application stands disposed of.

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3. The present petition is filed by the petitioner seeking to set aside the order dated 10.12.2024 (hereafter '**impugned order**') passed by the Sentence Review Board ('SRB') whereby the petitioner's case for premature release was rejected.
4. The petitioner is in custody pursuant to the judgement of conviction dated 25.08.2012 passed by the learned Trial Court under Sections 302/364 of the Indian Penal Code, 1870 ('IPC') and is undergoing life imprisonment.

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5. The judgement of conviction passed against the petitioner was upheld by a co-ordinate bench of this Court in Criminal Appeal No. 1139/ 2012 *vide* judgement dated 18.02.2013.

6. An application filed by the petitioner seeking premature release was dismissed by SRB by an order dated 30.06.2023. The petitioner had challenged the said order by filing a Writ Petition being W.P.(CRL) No. 3785/2023, wherein by order dated 20.12.2023, a co-ordinate bench of this Court granted interim protection to the petitioner. By order dated 30.09.2024, the Co-ordinate Bench directed the Respondent to reconsider the case of the Petitioner.

7. That in compliance of the order dated 30.09.2024 passed by the co-ordinate bench in W.P.(CRL) No. 3785/2023, the case of the petitioner was again considered by the SRB. It was considered that the petitioner availed parole 7 times and furlough 10 times, and that he jumped the parole availed for the period from 11.07.2013 to 11.08.2013 and was re-arrested in another case on 15.06.2014. Considering the aforesaid and the fact that the petitioner's conduct in the jail was unsatisfactory and that he was subjected to multiple punishments and had shown non-reformative attitude, Respondent rejected the Petitioner's request for pre-mature release by impugned order dated 10.12.2024, which is challenged in the present petition.

8. It is pertinent to note that the co-ordinate bench in W.P.(CRL) No. 3785/2023, after hearing the arguments, reserved the judgement on 14.05.2025, where he seeks premature release on account of him having spent 19 years in custody. The co-ordinate bench has retained the original records from the SRB pertaining to the petitioner, till the pronouncement of the



judgment.

9. In view of the pendency of judgment in W.P. (CRL.) 3785/2023, no order can be passed in the present petition and the same is therefore dismissed.

10. Petitioner would be at liberty to file an appropriate application in W.P.(CRL) 3785/2023.

AMIT MAHAJAN, J

MAY 26, 2025
“SK”