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

+ **W.P.(CRL) 2327/2025**

VINOD KUMAR RAJU

.....Petitioner

Through: Mr. Abhinav Sekhri and Ms. Jyoti,
Advs. (DHCLSC).

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Amol Sinha, ASC for State along
with Mr. Kshitiz Garg, Mr. Ashvini Kumar,
Mr. Nitish Dhawan and Ms. Sanskriti Nimbekar,
Advs. and Insp Suneel Siddu, PS Mangol Puri.

CORAM:

HON'BLE MR. JUSTICE AJAY DIGPAUL

ORDER

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05.08.2025

1. This writ petition seeks grant of parole for a period of three months due to the demise of the petitioner's son, in connection with his conviction arising out of FIR 371/2018 registered at Police Station Mangolpuri under Section 302 of the Indian Penal Code, 1908.
2. The petitioner is currently serving his sentence of rigorous imprisonment for life at Central jail no. 3, Tihar, New Delhi. At the time of filing this writ petition, he is stated to have served over seven years of this sentence. On 22.07.2025, he received news of the demise of his son. Through pleadings, the petitioner has conveyed his intention of being released on parole to attend to the last rites of his son though the initial rites have already been conducted by a distant family member, as certain rites



remain pending and he is in the sole position to perform them. Furthermore, he asks that he be allowed time to care for his family and arrange funds for their future.

3. As per the nominal roll on record, the petitioner is aged around 50 years and was arrested on 26.04.2018. He has no criminal antecedents and has been enlarged on bail on three instances in the past.

4. On a perusal of the status report on record, the Court is informed that the petitioner is also succeeded by a daughter, who does not object to the grant of parole to her father, on the condition that he doesn't "bother her or come to her house", stating that she will meet him if she wishes.

5. It is further submitted by learned Counsel who appears on behalf of the petitioner, Mr. Abhinav Sekhri, that the petitioner is succeeded by another daughter who awaits his release on parole to grieve the demise of her brother, though the status report on record does not reflect this. He also submits that the petitioner has not breached the terms and conditions imposed upon him while he was enlarged on bail in the past.

6. Refuting the petitioner's case, learned APP submits that the requisite rituals concerning the demise of the petitioner's son already stand performed, and that there remains no obligation in this regard to be discharged on his part.

7. Heard learned counsel appearing for the parties.

8. While considering whether a case has been made out for grant of parole, this Court deems it appropriate to refer to the Delhi Prison Rules, 2018. On this note, rules 1208 and 1210 warrant reproduction:



“1208. Subject to fulfillment of conditions stipulated in Rule 1210 below, it would be open to the Competent authority to consider applications for parole on the grounds such as :-

- i. Serious illness of a family member.
- ii. Critical conditions in the family on account of accident or death of a family member.
- iii. Marriage of any member of the family of the convict;
- iv. Delivery of a child by the legally wedded wife of the convict.
- v. Serious damage to life or property of the family of the convict including damage caused by natural calamities.
- vi. Sowing and harvesting of crops.
- vii. To maintain family and social ties.
- viii. To pursue the filing of a Special Leave Petition before the Supreme Court of India against a judgment delivered by the High Court convicting or upholding the conviction, as the case may be.”

“1210. In order to be eligible for release on parole in terms of Rule above:-

I. A convict must have served at least the period of one year in prison excluding under-trial period and any period covered by remission. However, in exceptional cases, where the prisoner has spent more than 3 years as under trial period or half of the sentence of the punishment awarded as under trial then his parole application may be considered, if he has spent at least 6 months in prison as convict.

II. The conduct of the Prisoner who has been awarded major punishment for any prison offence should have been uniformly good for last two years from the date of application and the conduct of Prisoner who has been awarded minor punishment or no punishment for any prison offence in prison should have been uniformly good for last one year from the date of application.”

9. On a perusal of the above rules, Rule 1210 stands satisfied on account of the petitioner’s time spent in custody, along with the lack of adverse remarks in his nominal roll. Furthermore, the demise of the petitioner’s son appears to satisfy Rule 1208.

10. On a query by this Court as to the reason for the petitioner’s seeking parole being fulfilled, i.e., performance of his deceased son’s last rites, Mr.



Sekhri candidly concedes that though the rituals stand completed, parole on compassionate grounds for a period of two weeks may be granted.

11. Owing to the petitioner's age, time spent in custody, and lack of criminal antecedents, this Court deems it appropriate to grant him parole owing to the unfortunate demise of his son.

12. Accordingly, petitioner is directed to be released on parole for a period of two weeks, upon furnishing a personal bond of ₹ 25,000/- with one solvent surety of the like amount subject to the satisfaction of the Jail Superintendent/ learned Trial Court/ Duty JMFC/ Link JMFC on the following terms and conditions:

- a.** He shall not leave the National Capital Territory of Delhi during his period of parole, without prior permission of this Court.
- b.** He shall provide his mobile number(s), if any, to the concerned Jail Superintendent and SHO – P.S Mangolpuri, Delhi, at the time of his release.
- c.** He shall report to the SHO – P.S. Mangolpuri, Delhi, on each Monday, between 11.00 am and 11.30 am to mark his presence. However, he shall not be kept waiting for longer than one hour for this purpose.
- d.** He shall surrender before the concerned Jail Superintendent on or before the expiry of the period of parole. For this purpose, he shall be handed a slip by the Jail Superintendent mentioning the exact date of his surrender, to avoid any confusion.

13. With the above directions, the present petition stands disposed of.



14. Copy of the order be sent to the Jail Superintendent concerned for information and necessary compliance.

AJAY DIGPAUL, J

AUGUST 5, 2025

Sk/av