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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **W.P.(CRL) 2525/2025**

MOHD ALAM

.....Petitioner

Through: Mr. Arhum Sayeed, Mr. Rahil
Ahmed, Ms. Alizaah Rais, Advocates.

versus

STATE (GOVT OF NCT OF DELHI)

.....Respondent

Through: Mr. Amol Sinha, ASC with Mr.
Kshitiz Garg, Mr Ashvini Kumar,
Mr.Nitish Dhawan, Ms. Sanskriti
Nimbekar, Mr. Manan Wadhwa,
Advs.

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

23.09.2025

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W.P.(CRL) 2525/2025

1. This is writ petition under Article 226 of Constitution of India read with Section 528 BNSS seeking directions to competent authority to consider the name of the petitioner for premature release in the upcoming Sentence Review Board meeting.
2. The Ld. ASC appearing for the State places on record the nominal roll of the petitioner along with the status report. The Ld. ASC states that petitioner is not eligible for consideration of his name for premature release inasmuch as he has not yet completed 14 years of actual imprisonment.
3. He states that petitioner was released on emergency parole on 16.05.2021 for a period of 90 days which was extended from time to time by the Hon'ble Supreme Court till 07.04.2023. However, he did not surrender on due date and jumped the emergency parole. Thereafter, he was rearrested



and re-admitted to jail on 25.04.2024.

4. It has been submitted that since the petitioner had jumped the emergency parole, the period from 17.05.2021 to 25.04.2024 i.e. the period of emergency parole, his period of extension of interim release as well as the period till his re-arrest shall not be counted towards his sentence.

5. Petitioner is stated to be undergoing life imprisonment. The case of the petitioner falls under the category of rule 1251 of Delhi Prisons Rules, 2018 which states as under:

“Every convicted prisoner whether male or female undergoing sentence of life imprisonment and covered by the provisions of Sections 433A Cr.P.C shall be eligible to be considered for premature release from the prison immediately after serving out the sentence of 14 years of actual imprisonment i.e. without the remissions”

6. The nominal roll received from the jail also indicates that petitioner has undergone actual sentence of 12 years, 6 months and 13 days, without considering the remission.

7. Since the petitioner has not served the sentence of 14 years of actual imprisonment, his name cannot be considered for premature release. That being so, there is no merit in the present petition. The same is accordingly dismissed.

RAVINDER DUDEJA, J

SEPTEMBER 23, 2025/lks/ak