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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P.(CRL) 2749/2025

VICKY

.....Petitioner

Through: Ms. Akрати Gupta, Mr. Jai
Vardhan & Mr.
Deepanshu, Advs.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Yasir Rauf Ansari,
ASC for the State with Mr.
Alok Sharma, Adv.
SI Deepak Kumar, PS-
Jahangir Puri

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

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13.11.2025

1. The present petition has been filed under Article 226 of the Constitution of India read with Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter “**BNSS**”) seeking issuance of writ in the nature of mandamus for directing the respondent authorities to release the petitioner on parole for a period of 60 days, in order to enable him to complete the construction of his residential house.
2. The petitioner was arrested in FIR No. 186/2011 registered at Police Station Jahangir Puri, for offences punishable under Sections 302/304B/498A/34 of the Indian Penal Code, 1860 and was sentenced to imprisonment for life along with fine on 24.01.2014.
3. The application of the petitioner seeking parole has been rejected by the competent authorities on the ground that when the applicant was released on emergency parole on 15.05.2021 for a period of 90 days, and despite the extension order dated 24.03.2023 directing him to surrender within 15 days, the



petitioner failed to surrender and absconded for approximately fourteen months, until he was apprehended on 18.05.2024. For this grave misconduct, a *major punishment* was imposed upon him, and his *Mulaqat* facility was suspended for fifteen days.

4. Rule 1210 (II) and (IV) of the Delhi Prison Rules, 2018, specifically mandate that a convict, who has been awarded a major punishment for any prison offence, becomes eligible to apply for parole only upon demonstrating *uniformly good conduct* for at least two years, immediately preceding the date of application. Further, the convict should not have violated any terms and conditions of the parole granted previously. The said condition is not merely procedural but serves as an essential safeguard to ensure that the convict can be temporarily released without posing a risk to public order and does not misuse the liberty granted.

5. Undisputedly, the period of two years from the date of the petitioner's arrest is yet to expire and, therefore, his conduct is not "*uniformly good*" for at least two years immediately preceding the date of application.

6. In light of the above, this Court finds no infirmity in the order passed by the respondent authorities rejecting the petitioner's application for parole.

7. The petition is, therefore, dismissed.

AMIT MAHAJAN, J

NOVEMBER 13, 2025/"SS"