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

+ **W.P.(CRL) 2982/2025**

SONU @ MATKA

.....Petitioner

Through: Mr. Shannu Baghel, Mr. Ganpat Ram,
Mr. Aaskash, Mr. Saksham Kumar,
Ms. Disha Gupta, Advs. for
petitioner.

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Sanjay Lao, Standing Counsel
with Ms. Priyam Agarwal, Mr.
Abhinav Kumar Arya, Mr. Aryan
Sachdeva, Advs. with SI Gaurav, PS
Kalyanpuri.

CORAM:

HON'BLE MR. JUSTICE RAVINDER DUDEJA

ORDER

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16.09.2025

W.P.(CRL) 2982/2025

1. The present writ petition has been filed under Article 226 of the Constitution of India read with Section 528 BNSS seeking issuance of directions to the respondent to release the petitioner on parole for a period of four weeks to enable him to perform the last rituals of his deceased mother, namely Asthi Visarjan scheduled on 17.09.2025 and Tehervin ceremony fixed on 19.09.2025 at Haridwar, Uttarakhand.
2. The petitioner is undergoing life imprisonment pursuant to his conviction in FIR No. 51/2009, P.S. Kalyan Puri, under Sections



302/307/396/397/412/34 IPC. He has undergone almost 16 years of incarceration. His mother expired on 06.09.2025 during treatment at Lok Nayak Hospital, New Delhi.

3. The grievance of the petitioner is that being the only son, he is duty bound to perform the last rites of his mother. He has accordingly prayed for parole on humanitarian grounds.

4. Learned counsel for the petitioner submits that parole on the ground of last rites has consistently been granted by the Courts as a matter of humanitarian consideration and prayed that the petitioner be released on parole for 04 weeks to perform last rites of his deceased mother. It is also submitted that his earlier parole application was not decided in a timely manner due to which he could not take care of his ailing mother.

5. Learned ASC for the State opposes the petition on the ground of the petitioner's previous late surrender. However, he fairly concedes that for the limited purpose of performing the last rites of his mother, release of the petitioner on parole can be considered.

6. This Court notes that the purpose behind enactment of provision of parole/furlough is to facilitate the maintenance of family and social ties of the convicts, supporting their rehabilitation and re-integration into society, providing them relief from the rigors of imprisonment, promoting their positive behaviour and discipline within the prisons, and contributing to their overall well-being and emotional health.

7. It is also 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.”*

8. The right to perform last rites of a parent is an essential religious and moral duty. Denial of parole in such circumstances would violate the petitioner's right to dignity under Article 21 of the Constitution. The Court is mindful of the fact of the petitioner's late surrender after being granted furlough, but the petitioner cannot be punished perennially on account of a violation committed by him more than a year ago. The present circumstances of the petitioner amount to an emergent, humanitarian and justified reason for seeking parole.

9. Considering the peculiar facts that the petitioner's mother expired on 06.09.2025 and that the ceremonies are scheduled in Haridwar on 17.09.2025 and 19.09.2025, this Court is of the view that the petitioner deserves to be released on parole for a limited period.

10. Accordingly, the present petition is allowed. The petitioner is granted parole for a period of 03 weeks commencing from the date of his release, subject to the following conditions:

- (i) The petitioner shall furnish a personal bond in the sum of Rs. 25,000/- with one surety of like amount to the satisfaction of the Jail Superintendent.
- (ii) The petitioner shall reside at the address mentioned in the memo of parties and shall not leave the NCT of Delhi except for visiting



Haridwar, Uttarakhand, for the ceremonies, without prior permission of the concerned SHO.

(iii) The petitioner shall report to the SHO, P.S. Kalyan Puri, every fourth day between 10:00 AM and 12:00 Noon during the parole period.

(iv) The petitioner shall not indulge in any criminal activity and shall maintain peace and good conduct.

(v) The petitioner shall surrender before the Jail Superintendent immediately upon expiry of the period of parole.

11. The petition stands disposed of in the above terms.

12. Copy of the said order be sent to the Jail Superintendent for necessary information and compliance.

RAVINDER DUDEJA, J

SEPTEMBER 16, 2025/AK