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

+ **W.P.(CRL) 3031/2025**

SUNIL NAYAK

.....Petitioner

Through: Mr. Siddharth Yadav, Mr. Nitin
Kumar Yadav, Advocates.

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Amol Sinha, ASC (Crl.) for the
State with Mr. Kshitiz Garg, Adv. Mr.
Ashvini Kumar, Adv., Mr. Nitish
Dhawan, Adv., Ms. Chavi Lazarus,
Adv. and Mr. Manan Wadhwa,
Advocate.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

06.11.2025

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1. Writ Petition under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (*hereinafter referred to as 'B.N.S.S.' (Section 482 of the Code of Criminal Procedure, 1973)*), has been filed on behalf of the Petitioner, Sunil Nayak, to challenge the Order dated 04.09.2025 whereby the Parole Application of the Petitioner, has been dismissed and has further sought Parole for 60 days, in FIR No. 289/2006 under Section 302/34 of the Indian Penal Code, 1860, registered at Police Station Sarai Rohilla.
2. It is submitted in the Petition that the Petitioner was sentenced to Life Imprisonment on 30.09.2008. His Appeal bearing Crl. A. No. 957/2008 was dismissed by this Court on 25.05.2009. The Petitioner submits that he has



been in Jail for about 15 years. The family of the Petitioner consists of his wife, one son aged about 8 years and daughter aged about 20 years. He further submits that his family is in a financial constraint due to prolong incarceration. The basic needs of the family, has to be arranged. The financial arrangement for the education of the children for pursuing higher studies, has to be undertaken. In case, the minimum support is not provided to the daughter, she may not be able to complete her higher education. The purpose of Parole is only to enable him to re-establish and maintain family and social ties. He hails from the poorest segment of society. A prayer is, therefore, made that he may be granted Parole.

3. **Status Report** has been filed on behalf of the State in the Court today. Let the same be taken on record. It is submitted in the Status Report that his consistent conduct, has not been satisfactory. Once, in 2010, when he granted Parole, he had jumped it. Again in 2022, when released on Bail, he committed another offence and was, thereafter, arrested. He has been lastly punished on 06.02.2025, when he was found in possession of tobacco and was given a warning.

Submissions heard and the record perused.

4. The last alleged dereliction was in the year 2022. Thereafter, in February, 2025, he was found in possession of 2 grams of tobacco for which he has only been given warning.

5. Considering his long incarceration and the objective of granting Parole, the Petitioner be released on Parole for a period of three weeks, on the following terms and conditions:

- i. The Petitioner shall furnish a personal bond in the sum of Rs.10,000/- with one surety of the like amount, to the satisfaction of



the Jail Superintendent.

ii. The Petitioner shall report to the SHO of the local area once a week on every Sunday between 10:00 AM to 11:00 AM during the period of furlough.

iii. The Petitioner shall furnish a telephone/mobile number to the Jail Superintendent as well as SHO of local police station, on which he can be contacted, if required. The said telephone number shall be kept active and operational at all the times by the petitioner.

iv. The Petitioner shall ordinarily reside at the address mentioned in the Petition.

v. Immediately upon the expiry of period of Parole, the Petitioner shall surrender before the Jail Superintendent.

vi. The period of Parole shall be counted from the day when the Petitioner is released from jail.

6. The Petition stands disposed of.

NEENA BANSAL KRISHNA, J

NOVEMBER 6, 2025/RS