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

+ **W.P.(CRL) 3130/2025**

AKBAR@GANJA

.....Petitioner

Through: Mr. Nitin Saluja, Ms. Ishita Soni and
Mr. Kwan Jaggi, Advocates

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Sanjeev Bhandari, ASC with
Mr. Arjit Sharma and Ms. Sakshi Jha,
Advocates for the State alongwith
Insp. Varun Dalal, SHO and SI Amit
Kumar, PS Moti Nagar

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

26.11.2025

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1. Writ Petition under Article 226 Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has been filed on behalf of the Petitioner seeking release of the Petitioner on Parole for a period of 04 weeks.
2. It is submitted that the Petitioner is a convict in FIR No. 0319/2014 registered under Sections 302/34 IPC at P.S. Moti Nagar and is serving the life sentence in Mandoli Jail.
3. His Application for Parole has been dismissed *vide* Order dated 18.08.2025. The Parole is sought on the ground that he has undergone more than 08 years of actual custody and he was granted 04 weeks Parole from 21.02.2023 to 20.03.2023 and after availing the Parole, he had surrendered in the Jail and did not misuse the liberty.



4. As per the Rule 1271 of the Delhi Prison Rules, 2018, Punishment dated 29.02.2024 to stop canteen facility for 15 days, is a minor punishment. Moreover, the Punishment dated 29.02.2024 has been challenged before this Court *vide* W.P.(CRL) No. 3552/2024. Even otherwise, Petitioner has been maintaining good conduct for the last one year and is entitled to avail Parole.

5. The Petitioner having suffered long incarceration is entitled to be released on Parole. Reliance is placed on Order dated 07.05.2015 passed by Coordinate Bench of this Court in W.P. (Crl.) No. 816/2015, Asfaq v. The tate of Rajasthan of Apex Court in Civil Appeal No. I 0464/2017. It is therefore, submitted that the Petitioner may be granted Parole for 04 weeks.

6. ***Learned ASC on behalf of the State*** submits that the Nominal Roll itself reflects that Petitioner has been punished three times in 2024 and his conduct is not satisfactory. Moreover, it has been recorded in the impugned Order dated 18.08.2025 while rejecting the Application for Parole, that on an enquiry from the neighbors, it was found that he was a drug addict and used to pick up fights when released on Parole. The grant of Parole is, therefore, objected.

7. ***Status Report*** has been filed on behalf of the State, which is taken on record.

Submissions heard.

8. *Vide* impugned Order dated 18.08.2025, the Parole has been rejected essentially on the ground that the enquiry from local resident revealed that he was a drug addict and quarrelsome. However, alongwith the present Status Report, statements of 05 neighbors have been annexed wherein it is stated that though he has been a drug addict, but he does not fight with anybody in the neighborhood.



9. Furthermore, the Nominal Roll shows that his last punishment was on 18.04.2024 on account of fighting with his inmates for which warning has been issued. Since last one year, there is no Complaint in regard to the conduct of the Petitioner.

10. Considering the totality of circumstances, the Petitioner is granted Parole for a period of 04 weeks upon his furnishing a personal bond in the sum of Rs.10,000/- and one Surety of the like amount to the satisfaction of the Jail Superintendent and subject to the following conditions:-

- a) Petitioner shall appear before the Court as and when the matter is taken up for hearing;
- b) Petitioner shall provide his mobile number to IO/SHO concerned, which shall be kept in working condition at all times;
- c) Petitioner shall inform the IO/SHO and the Jail Superintendent, about the address where he shall be available in Delhi;
- d) Petitioner shall ordinarily reside at the address mentioned in the Petition;
- e) Immediately upon the expiry of period of Parole, the Petitioner shall surrender before the Jail Superintendent.

11. Copy of this Order be communicated to the concerned Jail Superintendent for compliance.

12. The Petition along with pending Application, stands disposed of.

NEENA BANSAL KRISHNA, J

NOVEMBER 26, 2025

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