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

+ **W.P.(CRL) 3141/2025**

**UMESH @ KALA**

.....Petitioner

Through: Mr. Jitendra Sethi, Senior Advocate  
with Mr. Hemant Gulati and Mr.  
Shobit, Advocates.

versus

**STATE NCT OF DELHI**

.....Respondent

Through: Mr. Sanjay Lao, SC (Crl.) with Ms.  
Priyam Agarwal, Mr. Abhinav Arya  
and Mr. Arya Sachdeva, Advocates.  
SI Sangeeta, P.S. Mukherjee Nagar.

**CORAM:**

**HON'BLE MR. JUSTICE SANJEEV NARULA**

**ORDER**  
**09.12.2025**

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1. The Petitioner, a life convict in FIR No. 629/2016 registered under Sections 302/34 IPC at P.S. Mukherjee Nagar, seeks parole for the purpose of re-establishing his social ties. His earlier request for parole was not processed, constraining him to file W.P.(CRL) 2271/2025, which was disposed of on 23<sup>rd</sup> July, 2024, with directions to the State to treat the writ petition as a parole application and decide it within the prescribed timeline. Since no decision was taken despite those directions, the present writ petition has been filed.

2. On 24<sup>th</sup> September, 2025, while issuing notice, the State was granted time to file a reply. A status report has since been filed, however, it only notes the Petitioner's custody period and antecedents.



3. The nominal roll has been perused. As on 13<sup>th</sup> October, 2025 the Petitioner has been in custody for 8 years, 5 months and 26 days. The Petitioner's overall jail conduct, including during the past year is recorded as satisfactory. It further records the details of his convictions in FIR No. 253/2016, P.S. Beri, Jhajjar under Sections 307/452/120B IPC and FIR No. 313/2018, P.S. Beri, Jhajjar under Sections 353/186/307/34/120B IPC. In case FIR No. 313/2018, the Petitioner is on bail as his sentence has been suspended. As far as FIR No. 253/2016, the Petitioner's appeal is pending consideration.

4. The status report also notes other pending cases in which the Petitioner is an undertrial, including FIR No. 242/2016 (Sections 420/285 IPC, Arms Act, and Delhi Excise Act) at P.S. Badhra, District Charkhi Dadri, and FIR No. 27/2017 (Sections 186/353/307 IPC) at P.S. Special Cell, New Delhi. In both matters, the Petitioner is on bail.

5 With respect to the conviction in FIR No. 253/2016, attention has been drawn to a communication dated 23<sup>rd</sup> December, 2024, from the District Judge, Jhajjar to the Secretary, Home Department, GNCTD. The communication records that:

***“Sub:*** *Regarding release on Parole of convict Umesh s/o Surajmal r/o Village & Post Office Dubaldhan, PS Beri, District Jhajjar, Haryana seeking six weeks parole.*

*As per the Report of DCP HQ with regard to the convict in FIR No. 253/16 PS Beri u/s 307/452/120B IPC, it is submitted that the family members of the convict who is unmarried are used to visit him in the Prison and they also used to talk to him on phone. On the basis of the Report from the concerned IO of PS Beri, Dist. Jhajjar, the Asstt. Commissioner has recommended the release of the convict on Parole.*

*On the basis of the report of PS Beri sent by the Dist. Magistrate where it is mentioned that Umesh s/o Surajmal r/o PS Beri, Dist. Jhajjar (Haryana) is a permanent resident of the said address and on his release*



*either on Parole or Furlough, will not be any threat to the peace and tranquillity. Even the concerned Tehsildar and the Dist. Magistrate has also recommended for the release of the convict on Parole.*

*As per the report of Jail Supdt., the conduct of the convict in Jail is satisfactory and he also recommended the release of The convict on Parole for a period of six weeks. It is submitted that the convict does not come within the category of hard-core criminal as per the Rules & Regulations applicable in the State of Haryana and is thus entitled to be released on Parole and therefore the Supdt. Jail has also recommended the release of the convict on Parole for six weeks.*

*Therefore after perusing the report including the report from the DCP HQ where recommendations have been made to release the convict on Parole and similar recommendations have been made by Supdt. Jail, Distt. Jhajjar and also the recommendations of the District Magistrate, Beri to release the convict on Parole for a period of six weeks and the undersigned also agreed to the recommendations of all these persons and further recommend that the convict Umesh s/o Burajmal r/o V&PO Dubaldhan, PS Beri, District Jhajjar Haryana) may be granted Parole for a period of six weeks.”*

6. In view of the substantial period of custody undergone by the Petitioner, the favourable recommendations from the authorities in District Jhajjar, the satisfactory jail conduct recorded in the Nominal Roll, and the stated purpose of re-establishing social ties, the Court is inclined to accept the request for parole.

7. The petition is allowed. The Petitioner is directed to be released on parole for a period of 4 weeks from the date of his release, subject to securing bail in other pending matters, on furnishing a personal bond of INR 25,000/- with two sureties of the like amount to the satisfaction of the concerned Jail Superintendent, and subject to the following conditions:

- (i) The Petitioner shall report to the concerned SHO(s) once a fortnight during the period of parole.
- (ii) The Petitioner shall furnish his telephone number to the SHO(s) concerned, which the Petitioner will keep operational at all times.



(iii) The Petitioner shall surrender before the Jail Authorities at the expiry of the period of parole.

8. The petition is disposed of in the above terms.

9. A copy of the order be communicated to the concerned Jail Superintendent for information and necessary compliance.

**SANJEEV NARULA, J**

**DECEMBER 9, 2025**

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