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

+ **W.P.(CRL) 3197/2025**

MAHENDER ALAIS GANJA

.....Petitioner

Through: Ms. Swadha Gupta
(through VC) & Mr.
Vishesh Wadhwa, Advs.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Ms. Rupali
Bandhopadhya, ASC for
the State with Ms. Amisha
Gupta, Adv.
SI Narender Kumar, PS-
Paharganj

CORAM:

HON'BLE MR. JUSTICE AMIT MAHAJAN

ORDER

26.11.2025

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1. This matter was fixed for 25.11.2025 but is taken up today, that is, 26.11.2025 due to declaration of holiday on 25.11.2025 on occasion of 350th anniversary of 'Guru Teg Bahadur's Martyrdom Day'.

2. The present petition is filed by the petitioner seeking parole in FIR No. 17/2014 for offences under Sections 376D/366/342/395/506 of the Indian Penal Code, 1860 and Section 25 of the Arms Act, 1959 registered at Police Station Paharganj.

3. The petitioner essentially challenges the order no. F.18/277/2018/HG/2252 dated 05.08.2025 (hereafter '**the impugned order**') passed by the respondent authorities thereby rejecting the petitioner's application for parole.

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4. The petitioner's application seeking parole was rejected by the respondent authorities noting that the petitioner was awarded a major punishment and, therefore, in order to be entitled for being released on parole/ furlough, his conduct should have been uniformly good for the last two years from the date of application of parole.

5. The application was thereafter rejected by the respondent authorities since the punishment was awarded on 25.03.2024 and two years had not elapsed at the time of consideration of the petitioner's application for release on parole.

6. The learned Additional Standing Counsel for the State, on instructions, submits that the petitioner was awarded only a minor punishment and the same was inadvertently noted to be a major punishment in the impugned order rejecting the petitioner's application for parole.

7. He submits that apart from the said fact, there is no other impediment in the petitioner being admitted on parole.

8. The nominal roll indicates that pursuant to the last minor punishment, more than one year has elapsed.

9. In view of the above, the present petition is allowed and the petitioner is directed to be released on parole for a period of four weeks on verification of the address where the petitioner seeks to reside, on the following conditions:

- a. The petitioner shall furnish a personal bond in the sum of ₹10,000/- with one surety of the like amount, to the satisfaction of the Jail Superintendent;
- b. The petitioner shall submit his fresh residential address, where he shall be residing after his release, to the concerned Jail Superintendent, and shall not



change the same without informing the concerned Jail Superintendent;

- c. The Jail Superintendent shall release the petitioner after verification of the address;
- d. The petitioner shall report to the SHO of the local area, once a week on every Sunday at 10:00 AM and shall not leave the National Capital Territory of Delhi during the period of parole;
- e. The petitioner shall furnish his mobile number to the Jail Superintendent as well as to the SHO of the concerned Police Station on which he can be contacted if required. The said mobile number shall be kept active and operational at all times by the petitioner;
- f. The petitioner shall not indulge in any criminal activity during the period of furlough;
- g. Immediately upon the expiry of period of parole, the petitioner shall surrender before the concerned Jail Superintendent;
- h. During this period, co-accused, if any, shall not be released on parole/furlough;
- i. The period of parole shall commence from the date of actual release of petitioner.

10. The present petition is allowed in the aforesaid terms.

AMIT MAHAJAN, J

NOVEMBER 26, 2025

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