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

+ **W.P.(CRL) 3519/2025**

SUMIT @ PAWAN

.....Petitioner

Through: Mr. Siddharth Yadav, Mr. Anmol
Pandey and Mr. Nitin Yadav,
Advocates.

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Sanjay Lao, SC for State SI
Mahesh Kumawat, PS-Bhalswa
Dairy.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

20.11.2025

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1. The Petitioner, a life convict in FIR No. 90/2010 registered at P.S. Bhalswa Dairy, for the offences under Sections 302/201/34 of the Indian Penal Code, 1860,¹ has approached this Court, seeking grant of parole for a period of 60 days. He further seeks setting aside of order dated 14th October, 2025, passed by the Respondent authorities, declining his request for parole.
2. For ease of reference, the impugned order dated 14th October 2025 is extracted:

"Sir,

With reference to the proposal in the respect of the above said convict for grant of parole received in this office vide file CD No. 003810176, it is to inform that after due consideration, Hon'ble Lt. Governor of Delhi has rejected the request of the above said convict for grant of parole in view of the following:-

¹ "IPC"



1. The convict is not entitled for parole in view of Rule 1210 sub rule (III),(IV) and 1212 Note (2) of Delhi Prison Rules-2018, which states that:-

1210 sub rule (III):- "During the period of release on parole or furlough, if granted earlier, the convict should not have committed any crime".

1210 sub rule (IV):- "The convict should not have violated anytime and condition of the parole or furlough granted previously", In this case, the aforesaid convict was released on 8 weeks of emergency parole on 01.04.2020 to 27.05.2020 granted by DG(Prisons) but, he was arrested in the new case FIR No. 316/2020 on 10.05.2020 and admitted in CJ-03, Tihar.

Rule 1212 Note (2):- "Simultaneous parole to co-accused is ordinarily not permissible, however, in exceptional circumstances competent authority may consider for reason in writing for granting parole to co-accused who are family members". Here, as per nominal roll, two accused of said Convict is out on parole and simultaneous parole is ordinarily not permissible in the View of the said rule.

2. As per Rule 1211 sub rule (iii) of Delhi Prison Rule-2018, which provided that:- "In the following cases, parole shall not be granted, except if in the discretion of the competent authority special circumstances exist for the grant of parole;

(iii) Prisoners who are considered dangerous or have been involved in serious prison violence like assault, outbreak of riot, mutiny or escape, or rearrested who absconded while released on parole or furlough or who have been found to be instigating serious violation of prison discipline as per the reports in his/her annual good conduct report. In this case, the aforesaid convict was released on 08 weeks of emergency parole on 01.04.2020 to 27.05 2020 granted by DG (Prisons) but, he was arrested in new case FIR No. 316/2020 on 10.05.2020 and admitted in CJ-03, Tihar.

3. As per proposal received from Delhi Prisons, it has been stated that in view of the non-recommendation by the Jail Superintendent, pendency of social verification report & police verification report parole violation history, and his unsatisfactory jail conduct in recent years, the case was not found fit for grant of parole at this stage.

4. As per nominal roll, the overall jail conduct of said convict is reported as unsatisfactory. One other case is also pending against the said convict. Jail authority has not recommended grant of parole to said convict."



3. The rejection is essentially premised on the ground that during an earlier spell of emergency parole, the Petitioner was arrested on 10th May, 2020 in connection with another case, *i.e.*, FIR No. 316/2020.

4. It is pertinent to note that subsequent to the said incident, this Court granted parole to the Petitioner on two occasions, *i.e.*, on 4th August, 2021 in W.P.(CRL) 1245/2021 and on 24th March, 2023 in W.P.(CRL) 501/2023. There is no material on record to indicate that the Petitioner misused the liberty granted to him on either of these occasions. Consequently, his arrest in FIR No. 316/2020 during an earlier release cannot, by itself, constitute a valid ground for denying parole at this stage.

5. As per the latest nominal roll on record, the Petitioner has undergone 12 years, 8 months and 21 days of his sentence as on 17th November, 2025. He has further earned a remission of 2 years, 7 months and 5 days. The Petitioner's jail conduct for the last one year has also been reported as satisfactory.

6. The provision of parole is a benevolent one, designed for the welfare of prisoners and to further facilitate the rehabilitation of prisoners and society. Therefore, having regard to the foregoing, as well as the period of custody already undergone by the Petitioner, the Court is inclined to accept the Petitioner's request.

7. The Petitioner is directed to be released on parole for a period of four weeks from the date of his release, on his furnishing a personal bond in the sum of INR 25,000/- with one surety in the like amount to the satisfaction of the concerned Jail Superintendent, subject to the following conditions:

(i) The Petitioner shall report to the concerned SHO(s) once a week on every Monday 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. However, in light of the Petitioner's history of indiscipline and the punishments awarded to him over the years, he is hereby cautioned that any further instances of indiscipline or misconduct, can result in refusal of the privilege of parole.

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

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

SANJEEV NARULA, J

NOVEMBER 20, 2025

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