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

+ **W.P.(CRL) 3549/2025**

BHARAT

.....Petitioner

Through: Dr. M.P. Singh, Ms. Neelam Sharma
and Ms. Poorna, Advs.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Rahul Tyagi, ASC (Crl.) with Mr.
Sangeet Sibou, Mr. Priyansh Raj
Singh Senger and Mr. Aniket Kumar
Singh, Advs. for State along with S.I.
K.P. Singh, P.S. New Ashok Nagar,
Delhi.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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31.10.2025

CRL.M.A. 32112/2025 (exemption)

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

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3. The present petition has been filed assailing the order dated 04.09.2025 passed by the competent authority whereby the application of the petitioner seeking grant of parole has been rejected on the ground that the petitioner was released on parole on earlier two occasions and he surrendered belatedly.
4. Dr. M.P. Singh, learned counsel appearing on behalf of the petitioner



invites attention of Court to the nominal roll, to contend that on one occasion, the petitioner was granted eight weeks emergency parole which was extended from time to time and eventually, he surrendered on 08.03.2021 i.e. two days late.

5. For the second time, the petitioner was granted 90 days emergency parole and he surrendered on 21.04.2023 i.e. 13 days late.

6. He contends that the period when the petitioner was granted parole was a pandemic period and the petitioner had surrendered himself.

7. He submits that it has been more than two years that the petitioner has not been released on parole.

8. In view of the above, issue notice.

9. Mr. Rahul Tyagi, learned Additional Standing Counsel (Criminal) appearing on behalf of the respondent/State accepts notice.

10. Having regard to the fact that the petitioner after the expiry of period of parole surrendered on his own, *albeit* after delay of few days, and further, keeping in view the fact that the petitioner has not been released on parole for the past more than two years, this Court is of the view that the present petition deserves to be allowed.

11. Accordingly, the petition is allowed and the impugned order dated 04.09.2025 passed in connection with FIR No.388/2012, Under Section 302 IPC, P.S. New Ashok Nagar, Delhi is set aside.

12. Consequently, it is directed that the petitioner be released on parole for a period of four weeks from the date of his release, subject to his furnishing a Personal Bond in the sum of Rs. 10,000/- to the satisfaction of the Jail Superintendent, further subject to the following conditions:



- (a) The petitioner shall not leave NCR region without informing the local SHO; and
 - (b) The petitioner shall provide his mobile number to the IO concerned which shall be kept in working condition at all times and he shall not change the mobile number without prior intimation to the Investigating Officer concerned.
 - (c) Upon expiry of period of four weeks as stated above, the petitioner shall surrender before the Jail Superintendent.
13. Upon expiry of period of parole of four weeks as stated above, the petitioner shall surrender before the Jail Superintendent.
14. The petition is disposed of, in the above terms.
15. The present order has been passed in the peculiar facts and circumstances of the case, as noted hereinabove.
16. Copy of the order be forwarded to the Jail Superintendent for information and necessary compliance.
17. Order *dasti* under the Signatures of the Court Master.
18. Order be uploaded on the website of this Court.

VIKAS MAHAJAN, J

OCTOBER 31, 2025

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