



\$~7

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

+ **W.P.(CRL) 4109/2025**

GAURAV CHADHA

.....Petitioner

Through: Mr. Aman Panwar, Mr. Abhinav
Kumar and Ms. Rishika Choudhary,
Adv.

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Yasir Rauf Ansari, ASC for the
State with Mr. Alok Sharma, Adv.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

% **19.12.2025**

CRL.M.A. 37024/2025 (exemption)

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

W.P.(CRL) 4109/2025 & CRL.M.A. 37023/2025

3. By way of the present writ petition, the petitioner seeks issuance of a writ of mandamus directing the respondent to release him on parole for a period of twelve weeks.
4. As set out in the petition, the petitioner was convicted *vide* judgment dated 03.06.2020 passed by the learned Trial Court in a case arising out of FIR No. 217/2009 registered for offences under Sections 364A/302/201/411/34 of the IPC. His appeal against conviction, being



CRL.A. No. 501/2020, was dismissed by this Court *vide* order dated 02.12.2022. It is stated that the petitioner has undergone more than fifteen years of incarceration. He was last granted furlough for a period of two weeks by the jail authorities *vide* order dated 14.11.2025, though he was released on 26.11.2025.

5. The petitioner seeks parole for a period of twelve weeks on the ground of the alleged critical medical condition of his mother, who is stated to be a senior citizen aged about 65 years and suffering from multiple deep wounds on her left foot with persistent mucus and pus discharge. The learned counsel appearing for the petitioner asserts that she has been advised complete bed rest, regular dressing, and continuous medical supervision for a period of two months, and that there is a likelihood of a surgical intervention being required, failing which the condition may deteriorate to the extent of risking amputation. It is further contended that there is no other family member available to take care of her.

6. *Per contra*, the learned ASC for the State submits that the petitioner had earlier approached this Court seeking parole on identical grounds, which petition was dismissed as withdrawn on 11.09.2025. It is further submitted that soon thereafter, the petitioner was granted furlough for a period of two weeks on the very same ground, commencing from 14.11.2025. It is argued that the present petition is yet another attempt by the petitioner to remain out of custody by repeatedly invoking the same ground, without any material change in circumstances.

7. This Court has **heard** arguments addressed on behalf of the petitioner and the State, and has perused the material placed on record.



8. It is evident that the medical condition of the petitioner's mother has been the sole and consistent ground on which the petitioner has sought release from custody on multiple occasions. On an earlier occasion, the petitioner had approached this Court seeking parole for eight weeks on the same ground, which petition was dismissed as withdrawn on 11.09.2025. Thereafter, the competent authority granted him furlough for a period of two weeks commencing from 14.11.2025, precisely to enable him to attend to the stated medical needs of his mother.

9. Even in the present petition, no new or substantially different circumstance has been placed before this Court so as to justify a fresh grant of parole. The material on record does not indicate any sudden deterioration in the medical condition of the petitioner's mother or any emergent situation arising after the grant of furlough, which could not have been addressed during the period when the petitioner was already released from custody. The repeated invocation of the same ground, without demonstrating any change in circumstances, cannot be permitted to become a means for securing successive periods of release from imprisonment.

10. In the facts of the present case, this Court is of the view that the petitioner has already been afforded adequate opportunity to make necessary arrangements for the medical care of his mother, and it appears that the petitioner is repeatedly relying on his mother's medical condition as a pretext to secure his release from jail.

11. In view of the foregoing discussion and considering the overall facts and circumstances of the case, this Court is not inclined to grant parole to the petitioner.



12. The present petition is accordingly dismissed.

13. Needless to state, the dismissal of the present petition shall not preclude the petitioner from approaching the jail authorities by way of an appropriate application, and in the event such an application is filed, the authorities shall consider and decide the same as per law.

14. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

DECEMBER 19, 2025/A/R