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

+ **W.P.(CRL) 224/2026**

ARMAAN ALAM

.....Petitioner

Through: Mr. Abhinav Sekhri, Adv.
(DHCLSC) with Ms. Shalanki
Prasad, Adv.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Sanjeev Bhandari, ASC for the
State with Mr. Arjit Sharma and
Ms. Sakshi Jha, Advs.
SI- Meena S., PS: Nihal Vihar

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

19.02.2026

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1. By virtue of the present petition under *Article 226* of the Constitution of India read with *Section 528* of the Bharatiya Nagarik Suraksha Sanhita, 2023, the petitioner seeks issuance of a writ of mandamus directing the petitioner to be released on parole for a period of *eight weeks*; primarily to enable him to file a Special Leave Petition (*SLP*) before the Hon'ble Supreme Court against the order dated 21.07.2025 passed by this Court in Criminal Appeal No.319/2025.

2. *Succinctly put*, this Court *vide* the aforesaid order dated 21.07.2025 dismissed the appeal preferred by the petitioner thereby upholding the judgement on conviction dated 07.12.2024 as well as order on sentence dated 31.01.2025 passed by the learned ASJ (FTSC)(POCSO), West District, Tis Hazari Courts, Delhi (*learned ASJ*) in SC No.111/2020



arising out of FIR No.841/2019 registered at PS: Nihal Vihar, whereby the petitioner was found guilty of offences under *Sections 8/10* of the Protection of Children from Sexual Offences Act, 2012 (***POCSO Act***) and *Sections 354/354A* of the Indian Penal Code, 1860, and sentenced to undergo rigorous imprisonment for a period of *four years* alongwith fine of Rs.10,000/-, with simple imprisonment for a period of *30 days* in default thereof. Aggrieved thereby, the petitioner intends to file an SLP before the Hon'ble Supreme Court, and on the said ground, as also to maintain social-ties with society and his family members, he had initially made an application before the Competent Authority for grant of parole for a period of eight weeks. Since the decision of the Competent Authority thereon was not communicated to the petitioner even after a lapse of nearly 2 months, the petitioner filed the present petition before this Court.

3. Relying upon the recent decision of this Court dated 13.01.2026 in W.P.(Crl.) 107/2026 entitled '***Danish vs. State of NCT of Delhi***', as well as of a Co-ordinate Bench of this Court dated 06.11.2025 in W.P.(Crl.) 3627/2025 entitled '***Nadeem vs. State (Govt. of NCT of Delhi)***', learned counsel for the petitioner submits that even in cases of conviction under the POCSO Act, parole has been granted, especially since the right to file an SLP before the Hon'ble Supreme Court is vital and cannot be curtailed for procedural latches.

4. He further submits that the petitioner has spent over a period of one year and eight months in prison, and his conduct while in custody has been satisfactory throughout. Further, since the delay by the Competent Authority in rendering its decision has already caused grave prejudice to the petitioner, the present petition be allowed and the petitioner be



released on parole to pursue his remedies before the Hon'ble Supreme Court.

5. Pursuant to order dated 21.01.2026 passed by this Court, vide order dated 27.01.2026, a copy whereof has been filed by learned ASC for the State, the Competent Authority has dismissed the same as he has not completed one year in prison excluding undertrial period and remission in terms of *Rule 1210(I)* of the Delhi Prison Rules, 2018, as well as in view of the bar under *Rule 1211(VII)* thereof, since he has been convicted of offences under the POCSO Act.

6. Learned ASC for the State, in view of the decisions of this Court in *Danish (supra)* and *Nadeem (supra)*, submits that he has no objection if the petitioner is granted parole for a period of *four weeks*, however, since the earlier representation has been decided and has not been challenged herein, the present petition has become infructuous.

7. In view of the aforesaid submission on behalf of the ASC, as well as the grounds on which parole has been sought, and wherein an independent relief for grant of parole has also been sought by the petitioner, it would be in the interest of justice as also on humanitarian grounds, to release the petitioner on parole.

8. Accordingly, the petitioner, convicted under *Sections 8/10* of the POCSO Act as well as *Sections 354/354A* of the IPC in FIR No.841/2019 registered at PS: Nihal Vihar is directed to be released on parole for a period of *four weeks* from the date of his release, subject to him furnishing a personal bond in the sum of Rs.10,000/- (*Rupees Ten Thousand Only*) with one surety of the like amount to the satisfaction of the Jail Superintendent, and further subject to the following conditions:-



- i. During the period the petitioner remains out on parole, the petitioner shall report to the SHO, PS: Nihal Vihar on every Saturday.
 - ii. The petitioner shall also provide the SHO, PS: Nihal Vihar with a mobile telephone number which shall be kept in working condition at all times and shall not switch off or change the mobile number without prior intimation to the SHO concerned. The mobile location be kept on at all times.
 - iii. The petitioner shall not indulge in any criminal activity and shall not communicate with or come in contact with the complainant/ victim/ survivor or any member of the complainant/ victim/ survivor's family or tamper with the evidence of the case.
 - iv. The petitioner is directed to surrender before the Jail Authorities on the expiry of the period of parole at or before 04:00 PM.
9. Copy of the present order be sent to the concerned Jail Superintendent for information and necessary compliance.
10. The present petition is allowed and disposed of in the aforesaid terms.

SAURABH BANERJEE, J

FEBRUARY 19, 2026/Ab