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

+ **W.P.(CRL) 232/2026**

DEEPAK ALIAS PETA

.....Petitioner

Through: Mr. Pritish Sabharwal, Advocate.

versus

THE STATE (GOVT, OF NCT OF DELHI)Respondent

Through: Mr. Alok Sharma, Advocate for Mr.
Yasir Rauf Ansari, ASC for the State.
Mr. Udhav Pratap, Advocate for the
complainant Rekha alongwith the
complainant in-person.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **19.05.2026**

CRL.M.A. 16086/2026

By way of the present application filed under section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023 ('BNSS'), the petitioner seeks early hearing of the present writ petition, which is otherwise posted on 14.08.2026.

2. For the reasons stated in the application, which is duly supported by an affidavit, the application is allowed.
3. The writ petition is taken-up for hearing today.
4. Application stands disposed-of.

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5. By way of the present writ petition filed under Article 226 of the Constitution of India read with section 528 of the BNSS, the petitioner seeks parole for a period of 04 weeks for filing a Special Leave Petition (SLP) before the Supreme Court.
6. Notice on the petition was issued on 22.01.2026.



7. Status report dated 24.02.2026 has been filed.
8. Nominal roll dated 13.03.2026 has been received from the Jail Superintendent.
9. The petitioner is serving life sentence, having been convicted for murdering his step-father.
10. By order dated 'nil', the jail authorities have rejected the petitioner's request for parole on two grounds: *one*, that his jail conduct has been 'unsatisfactory'; and *two*, that the petitioner was granted parole earlier by the jail authorities *vidé* order dated 25.04.2018, which was however cancelled by them *vidé* order dated 11.06.2018 since the petitioner's mother had strongly opposed the grant of parole.
11. *Vidé* order dated 25.02.2026, this court had required the presence of the petitioner's mother - Rekha. The mother is present in court. She is also represented by counsel in the today's proceedings.
12. Mr. Pritish Sabharwal, learned counsel for the petitioner submits, that for some unexplained reason, the petitioner's mother has been expressing the apprehension that the petitioner would harm her if released on parole.
13. Mr. Alok Sharma, learned counsel appearing on behalf of Mr. Yasir Rauf Ansari, learned ASC for the State submits, that it was solely on the basis of the grave apprehension expressed by the petitioner's mother that the jail administration was constrained to cancel the parole granted to the petitioner earlier.
14. Mr. Sharma has also drawn attention of this court to order dated 07.11.2024 passed in W.P.(CRL) No.711/2024, to submit, that a Co-ordinate Bench had declined furlough to the petitioner for the very same



reasons, viz., that though the petitioner had filed for furlough on the ground that he needed to take-care of his parents, he had been convicted for killing his step-father and the petitioner's mother had raised strong apprehension, that if released from custody, the petitioner would also kill her.

15. The court has interacted with the mother, who is present in court alongwith the petitioner's brother. The mother has repeated the same apprehension viz., that since the petitioner killed his step-father, he would not spare his mother either. However, the record does not show any basis for the apprehension expressed.
16. Even when the parole granted to the petitioner by the jail administration *vidé* order dated 25.04.2018, was cancelled *vidé* order dated 11.06.2018, there was nothing on record to support the mother's apprehension that the petitioner would kill her if released from prison. There are also no specifics to substantiate the existence of any threat, intimidation or violence, as alleged against the petitioner which could have formed the basis of cancelling the parole granted by the jail administration.
17. Though it is correct that in order dated 07.11.2024, a Co-ordinate Bench had declined furlough to the petitioner on the statement of his mother, whereby she had expressed apprehension that if released, the petitioner would kill her, it cannot be ignored that *more than a year and a half* has passed thereafter. In the circumstances, this court is unable to countenance a situation whereby on the mere statement of the petitioner's mother expressing apprehension, the petitioner should be denied parole *for all times to come*.



18. The nominal roll shows that the petitioner has undergone actual custody of *more than 18 years and 08 months*; and that he has earned *remission of more than 04 years and 05 months*.
19. Furthermore, though the nominal roll records that the petitioner's overall jail conduct has been 'unsatisfactory' and that he was awarded 10 prison punishments, it is also seen that the petitioner has served-out the prison punishments so awarded. It is also noticed, that as per the nominal roll, the petitioner has no other criminal involvements.
20. Upon query, the court is informed that on being released, the petitioner would be residing *not* at the Trilok Puri, Delhi address where the mother resides *but* at an address in Uttam Nagar, Delhi where he would be living in the house of one Ms. Hasina Bano, who (latter) along with her son has also been visiting the petitioner in prison. The court is informed that Ms. Hasina Bano treats the petitioner as her son.
21. Upon a conspectus of the aforesaid circumstances, this court is persuaded to allow the present petition *though* with some stringent conditions as detailed below.
22. In view of the above, the petitioner – **Deepak alias Peta s/o late Puran Chand** – is granted *parole for a period of 04 weeks subject to the following conditions*:
 - 22.1. The petitioner shall furnish a personal bond in the sum of Rs.25,000/- (Rs. Twenty-five Thousand Only) with 01 local surety in the like amount, to the satisfaction of the Jail Superintendent;



- 22.2. The petitioner shall not leave the State of Delhi without permission of this court and shall *ordinarily* reside at the address in Uttam Nagar, Delhi;
- 22.3. The petitioner shall present himself before the S.H.O., P.S.: Bindapur every 03 days between 11:00 am and 11:30 am to mark his presence. However, he will not be kept waiting longer than an hour for this purpose;
- 22.4. The petitioner shall furnish to the S.H.O., P.S.: Bindapur a cellphone number on which the petitioner may be contacted at any time and shall ensure that the number is kept active and switched-on at all times;
- 22.5. The petitioner *shall not visit Trilok Puri, Delhi whether the petitioner's mother resides or any other place within the jurisdiction of P.S.: Kalyanpuri, New Delhi* while on parole;
- 22.6. The petitioner shall not interact directly or indirectly or engage in any manner with his mother, either at her residence or place of work.
- 22.7. If the petitioner has a passport, he shall surrender the same to the Jail Superintendent;
- 22.8. The petitioner shall not indulge in any act or omission that is unlawful or that would prejudice the proceedings in pending cases, if any;
- 22.9. Upon expiry of the period of parole, the petitioner shall surrender before the Jail Superintendent; and



22.10. Considering the ground on which parole is sought, the petitioner will also furnish to the Jail Superintendent a copy of the SLP at the time of his surrender.

23. Petition stands disposed-of in the above terms.
24. Pending applications, if any, also stand disposed-of.
25. The date of 14.08.2026, given earlier, stands cancelled.
26. A copy of this order be sent to the concerned Jail Superintendent *forthwith*.

ANUP JAIRAM BHAMBHANI, J

MAY 19, 2026
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