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

+ W.P.(CRL) 422/2026

SURESH @ HANUMANT

.....Petitioner

Through: Mr. Siddharth Yadav, Mr. Anmal  
Kumar Pandey, Ms. Jyoti Yadav  
and Mr. Vikas Deep, Advocates.

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Abhijeet Kumar, Proxy  
Counsel for Ms. Rupali  
Bandopadhyaya, ASC for the State.

**CORAM:**

**HON'BLE MR. JUSTICE SAURABH BANERJEE**

**ORDER**

% **20.03.2026**

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 (*BNSS*), the petitioner seeks issuance of a Writ in the nature of *mandamus* directing the respondent to release the petitioner on parole as granted *vide* order dated 15.12.2025 bearing no. F-18/110/2025/HOME(G)/PRISONS/3836 passed by the respondent, in FIR No.185/2012, registered at PS.: Mangolpuri, Delhi under *Sections 302/34* of the Indian Penal Code, 1860 (*IPC*).

2. At the very outset, learned proxy counsel for the ASC has handed over a copy of the letter dated 16.03.2026 by the Deputy Secretary (Home) (General) Department, Government of NCT of Delhi, 5<sup>th</sup> level, "A" Wing, Delhi Sachivalaya I.P. Estate, Delhi, whereby, it has been informed that the application qua seeking simultaneous release of the petitioner on parole alongwith other co-accused has been rejected. The relevant portion thereof reads as under:



“Sir,

*Kindly refer to your office letter dated 31.01.2026 on the subject cited above, whereby directions were sought that whether the above said convict may be released on parole granted vide this office letter dated 15.12.2025 as the co-accused of said convict jumped the parole and as per point no. 7 of parole granting order dated 15.12.2025, the above said convict is to be released only after the surrender of the his co-accused.*

*In this regard, Principal Secretary (Home) has ordered that the request of said convict for simultaneous release cannot be considered at this stage in view of the following: -*

*(i) As per Nominal Roll, the convict was released on Interim Bail for a period of four weeks granted by Hon'ble High Court of Delhi but the above said convict surrendered late by one day.*

*(ii) As per Police Verification report, it has been shown a tendency that convict may jump the parole and may harm the victim.”*

3. Learned counsel for the petitioner on the other hand, relying on the judgment/ order of a Co-ordinate Bench of the Court in ***Prem Singh v. The State (GNCT of Delhi) : 2022/DHC/004943*** and ***Akash @ Bhola v. State (NCT of Delhi) : W.P. (Crl) 657/2026***, submits that this Court has previously allowed the convict to be released on parole even whence the other co-accused has not surrendered.

4. In ***Prem Singh*** (Supra), the Co-ordinate bench of this Court has observed as under:

*“8. It may be observed that parole is a relief granted by the State which goes a long way for redemption and rehabilitation of such prisoners and is ultimately aimed for the good of the society and, therefore, in public interest. Parole is normally granted in certain conditions and is governed by the guidelines framed in this regard. It is pertinent to note that the most important ground on which*



*the parole is granted is to maintain family and social ties so that the convict is able to maintain his family and social contacts. As such, a humanist approach needs to be taken affording such convicts an opportunity to resolve their personal and family issues and to encourage offenders to demonstrate a commitment in relation to the society.*

9. *Ordinarily in terms of Rule 1212, two convicts should not be simultaneously allowed to be released on parole. The object appears to prevent any law and order situation which may be created by simultaneous release of co-accused except in terms of Note 2 to Rule 1212. However, the ineligibility envisaged under Rule 1212 for releasing two unrelated convicts on parole, cannot continue for long periods, so as to deny the co-accused of the benefit of parole... ..”*

5. In the present case, although the petitioner had already been granted parole by the respondent *vide* order dated 15.12.2025, however, the only impediment is that the co-accused Deepak Kumar @ Chintu, who had already been released on parole, has not surrendered yet. Barring that, as per Nominal Roll as on 19.02.2026, the petitioner has already undergone more than 11 years 7 months incarceration (without remission), wherein his conduct has been ‘*Satisfactory*’ all throughout and barring one occasion has never surrendered late or misused his liberty.

6. As such, considering the overall facts and circumstances involved, especially the jurisprudential intent behind parole, this Court is of the view that the petitioner, convicted in FIR No. 185/2012, registered at PS.: Mangolpuri, Delhi under *Sections 302/34* of the IPC, be released on parole for a period of *two 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 by a family member/



friend having no criminal case pending against him/ her, as also subject 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 not leave NCT of Delhi and report to the SHO, PS: Mangolpuri, Delhi on every Saturday.
  - ii. The petitioner shall also provide the SHO, PS: Mangolpuri, Delhi with a mobile telephone number which shall be kept in working condition at all times with location 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 Superintendent on the expiry of the period of *two weeks* of parole at or before 04:00 PM.
7. Copy of the present order be sent to the concerned Jail Superintendent for information and necessary compliance.
8. The present petition is allowed and disposed of in the aforesaid terms.

**SAURABH BANERJEE, J**

**MARCH 20, 2026/So**