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

+ **W.P.(CRL) 636/2026**

MUKESH PURI

.....Petitioner

Through: Ms. Puja Bhusari Soni, Adv.
(DHCLSC) (through VC)

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Abhijeet Kumar, Adv. for Ms.
Rupali Bandhopadhyaya, ASC for
State with SI Sornika, PS.:
Bindapur, Delhi.

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

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13.03.2026

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, the petitioner seeks issuance of a writ of *certiorari* quashing the Rejection Order dated 26.12.2025 passed by the Competent Authority, as well as a writ of *mandamus* directing that the petitioner to be released on parole for a period of *one month* in the case arising out of FIR No.661/2017 registered at PS: Bindapur, Delhi under *Sections 10/9(m)* of the Protection of Children from Sexual Offences Act, 2012 (**POCSO Act**).



2. *Succinctly put*, the petitioner was convicted and sentenced to undergo rigorous imprisonment for a period of *five years* by the learned ASJ-01 (POCSO), Dwarka Courts, Delhi (***learned Trial Court***) *vide* judgment and order on sentence dated 22.07.2023 and the appeal thereto being CRL. APPEAL No.920/2023, was dismissed by this Court *vide* order dated 08.08.2025. Subsequently, although the petitioner made an application dated 06.09.2025 before the Competent Authority, however, the same was rejected *vide* Rejection Order dated 26.12.2025.

3. Learned counsel for the petitioner submits that the petitioner's application for parole has been mechanically rejected by the Competent Authority *vide* the aforesaid Rejection Order dated 26.12.2025 for the sole reason that the petitioner has been convicted under the POCSO Act. The same, as per her, shows non-application of mind, and the same is against the law laid down by a Co-ordinate Bench of this Court in W.P. (Crl.) 3821/2025 entitled '***Mohd. Taslim Ali vs. State***' wherein it has been categorically held that conviction under the POCSO Act is not an absolute bar for grant of parole as also the said Rejection Order passed is contrary to the rights as envisaged under *Article 14* of the Constitution of India.

4. Further, learned counsel for the petitioner submits that as the conduct of the petitioner while in prison has consistently been '*Satisfactory*', and he has not been awarded any punishment till date as also the address of the petitioner being H. No. B-2/6A Sewak Park, Dwarka Mor, Delhi has been verified as per the latest Status Report, she prays that the petitioner be granted parole by this Court so that the petitioner may re-establish social ties with family and society.

5. Considering the overall facts and circumstances involved, especially



the conduct of the petitioner during his time in jail and it would be in the interest of the petitioner's mental well-being to be released on parole as also, lastly, considering the dicta of the judgment entitled '**Mohd. Taslim Ali vs. State**' in W.P. (Crl.) 3821/2025 passed by a Co-ordinate Bench of this Court, this Court is of the view that the petitioner, convicted *vide* judgment and order on sentence dated 22.07.2023 arising out of FIR No.661/2017 registered at PS: Bindapur, Delhi under *Sections 10/9(m)* of the POCSO Act, 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.20,000/- (*Rupees Twenty 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: Bindapur, Delhi on every Saturday.
- ii. The petitioner shall also provide the SHO, PS: Bindapur, 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 Authorities on the expiry of the period of parole at or before 04:00 PM.



6. Copy of the present order be sent to the concerned Jail Superintendent for information and necessary compliance.
7. The present petition is allowed and disposed of in the aforesaid terms.

SAURABH BANERJEE, J

MARCH 13, 2026/bh