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

+ **W.P.(CRL) 755/2026**

UMESH SHARMA

.....Petitioner

Through: Mr. Mohd. Shamikh, Advocate.

versus

STATE OF DELHI

.....Respondent

Through: Mr. Rahul Tyagi, ASC(CRL) with
Mr. Sangeet Sibou, Mr. Aniket
Kumar Singh and Mr. Priyansh Raj
Singh Senger, Advocates.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

11.03.2026

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1. By way of the present writ petition, the petitioner is seeking issuance of writ in the nature of mandamus directing the respondent to release the petitioner on parole for a period of two weeks, in case arising out of FIR bearing no. 782/1998, registered at Police Station Gokalpuri, Delhi, for the commission of offences punishable under Sections 302/34 of the Indian Penal Code, 1860 (hereafter 'IPC').
2. In the present case, the petitioner was convicted for commission of offence under Sections 302/34 of IPC and was awarded sentence of rigorous imprisonment for life, and his appeal against conviction i.e. CRL.A. 532/2002 was dismissed by this Court on 17.11.2025.
3. The learned counsel appearing on behalf of the petitioner states that the younger brother of the petitioner has unfortunately passed away on



04.03.2026. It is stated that the petitioner did not have sufficient time to approach competent authority since they take at least four weeks to decide the application for parole, whereas he has to perform ‘*Terahvi*’ ceremony of his younger brother on 18.03.2026. Further, the petitioner herein has remained in judicial custody for about four and a half years and there is no chance of his absconding if he is released on parole by this Court as he himself had surrendered on 25.02.2026 after the appeal of the petitioner was dismissed by this Court. Further, between 2002 and 2026, when he was on bail, he had never misused the liberty. Therefore, it is prayed that the petitioner be released on parole.

4. On the other hand, the learned ASC appearing on behalf of the State fairly concedes that the younger brother of the petitioner has unfortunately expired. Verification report *qua* the same has also been handed over to this Court.

5. This Court has heard arguments addressed on behalf of both the parties and has gone through the material placed on record.

6. Considering the above circumstances, and especially the fact that the younger brother of the petitioner has unfortunately passed away, this Court is inclined to grant parole to the present petitioner for a period of two weeks, from the date of his release, on the following conditions:

- i. The petitioner shall furnish a personal bond in the sum of Rs.10,000/- with one surety of the like amount, to the satisfaction of the Jail Superintendent.
- ii. The petitioner shall report to the SHO of the local area once a week on every Sunday between 10:00 AM to 11:00 AM during the period of parole.



- iii. The petitioner shall furnish a telephone/mobile number to the Jail Superintendent as well as SHO of local police station, on which he can be contacted if required. The said telephone number shall be kept active and operational at all the times by the petitioner.
- iv. Immediately upon the expiry of period of parole, the petitioner shall surrender before the Jail Superintendent.
7. In above terms, the present writ petition along with pending application, if any, is disposed of.
8. A copy of this order be sent by the Registry to the Jail Superintendent concerned.
9. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

MARCH 11, 2026/vc
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