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

+ **W.P.(CRL) 1615/2026**

MOHD ZAHID @JAHID

.....Petitioner

Through: Mr. Siddharth Satija (DHCLSC), Ms. Charu Sinha, Ms. Anuka Bachawat and Mr. Akash Sachan, Advs.

Versus

STATE GOVT NCT OF DELHI

.....Respondent

Through: Mr. Amol Sinha, ASC for the State along with Mr. Kshitiz Garg, Mr. Ashvini Kumar, Mr. Chavi Lararus and Ms. Komal Chauhan, Advs. along with SI Akansha.

CORAM:

HON'BLE DR. JUSTICE SWARANA KANTA SHARMA

ORDER

% **19.05.2026**

CRL.M.A. 16138/2026 (exemption)

1. Allowed, subject to all just exceptions.
2. Application stands disposed of.

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3. By way of the present writ petition, the petitioner seeks issuance of a writ in the nature of certiorari for quashing the rejection order bearing No. F.18/27/2026/HG/Prisons/5991-93 dated 04.05.2026, passed by the competent authority, and further seeks grant of parole for a period of four weeks on the ground of maintaining social and family ties.
4. In the present case, the petitioner was arrested in connection with FIR



No. 200/2016 registered at Police Station Amar Colony, Delhi, for offences punishable under Section 6 of the Protection of Children from Sexual Offences Act, 2012 (hereafter '*POCSO Act*'). The petitioner was convicted in the said case and sentenced to rigorous imprisonment for a period of twenty years with payment of fine of Rs.50,000/- for the offence in question. Further, the appeal preferred by the petitioner, being CRL.A. 619/2023, came to be dismissed by this Court *vide* judgment dated 23.12.2025.

5. The learned counsel appearing for the petitioner submits that the petitioner is currently confined in Central Jail No. 08, Tihar, New Delhi and has already undergone incarceration of more than ten years. He also contends that his application for grant of parole has been rejected solely on the ground that petitioner has been convicted for commission of offence under POCSO Act. He also states that the petitioner has never been granted benefit of parole. Therefore, it is prayed that the petitioner be granted parole for a period of four weeks.

6. The learned ASC for the State concedes that the petitioner has not been granted benefit of parole even once, till date, even though he has been in custody for ten years. However, he argues that the conviction of the petitioner is for offence under POCSO Act.

7. This Court has **heard** arguments addressed by the learned counsel for the petitioner and the learned ASC for the State, and has perused the material available on record.

8. This Court observes that the ground on which the competent authority has rejected the petitioner's application for grant of parole *vide* its Rejection Order dated 04.08.2026, is as under:

“...1. As per Rule 1211 sub rule (vii) of Delhi prison rules 2018



which provide that: - "In the following cases parole shall not be granted except if in the discretion of the competent authority special circumstances exist for grant of parole:

(vii) if the prisoner is convicted under POCSO: in this case the abovesaid convict was found guilty for the offence punishable under POCSO act.

2. Further Probation Officer has not recommended grant of parole to said convict."

9. This Court notes that the nominal roll of the petitioner reflects that the overall conduct of the petitioner is satisfactory and not a single punishment has been recorded against him in the jail in the last ten years. The nominal roll also suggests that the petitioner has undergone incarceration for a period of more than ten years and his conduct reflects reformation.

10. Further, he has been working as '*langar sahayak*' in the prison, and has also annexed with the petitioner – certificate of appreciation issued to him by the jail authorities. The petitioner had sought parole on the ground to file Special Leave Petition and to arrange funds to engage a counsel for the said purpose.

11. Considering the overall facts and circumstances and discussion made above, this Court is inclined to allow the present petition. The petitioner is granted parole for a period of four weeks, subject to 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, who shall be a family member of the petitioner, 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 at 10:00 AM.
- iii. The petitioner shall furnish a telephone number to the Jail Superintendent on which he can be contacted, if required. After his



release, he shall also inform his telephone number to the SHO of the police station concerned.

iv. Immediately upon the expiry of the period of parole, the petitioner shall surrender before the Jail Superintendent.

v. The period of parole shall be counted from the day when the petitioner is released from jail.

vi. The petitioner shall furnish a copy of SLP filed before the Hon'ble Supreme Court to the Jail Superintendent at the time of surrendering.

12. In the above terms, the present writ petition stands disposed of.
13. A copy of this order be sent by the Registry to the Jail Superintendent.
14. The order be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

MAY 19, 2026/A/TD