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

\# **CNR No. DLHC010406182026**

\+ W.P.(CRL) 2629/2026

MANISH KUMAR @ TINU .....Petitioner

Through: Ms. Neha Gund and Mr. Rajesh Pandey, Advs.
Mob: 9958574113
Email: advocate.nehagund@gmail.com

versus

STATE OF NCT OF DELHI & ORS. .....Respondents

Through: Mr. Amol Sinha, ASC (Crl.) for the State with Mr. Ashvini Kumar, Adv.
Mob: 9910847958
Email: amolsinha.associates@gmail.com

CORAM:
HON'BLE MS. JUSTICE MINI PUSHKARNA

O R D E R

% 28.10.2026

1. The present writ has been filed under Article 226 of the Constitution of India, 1950 ("Constitution"), read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ("BNSS"), seeking directions to the respondents to immediately release the petitioner, i.e., Sh. Manish Kumar @ Tinu, S/o Kamal Singh, on parole, in terms of the judgment dated 22nd July, 2026, passed by this Court, in *W.P.(CRL) 1663/2026.*

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2. The petitioner has been sentenced to imprisonment for life and a fine of Rs. 55,000/- (Rupees Fifty Five Thousand only) along with simple imprisonment for 02 (two) years and 09 (nine) months, in connection with the First Information Report ("FIR") being *FIR No. 50/2008,* registered at Police Station ("PS") Palam Airport, Delhi, under Sections 302/364/392/394/201/34 of the Indian Penal Code, 1860 ("IPC") *vide* order on sentence dated 24th June, 2013, passed by the Additional Sessions Judge ("ASJ"), Patiala House Court, New Delhi.

3. The petitioner has also been sentenced to rigorous imprisonment for 07 (seven) years, in connection with the *FIR No. 94/2001,* under Section 397 of the IPC, registered at PS Delhi Cantt, *vide* order on sentence dated 19th September, 2002, passed by the ASJ, New Delhi.

4. This Court notes that in the Nominal Roll, filed on behalf of the respondents, it is categorically stated as follows:

> *"xxx xxx xxx*
>
> As per the Nominal Roll dated 12.08.2026, the life sentence awarded to the convict in case FIR No. 50/2008 is presently not running, and the sentence in the said case has been shown as stopped/suspended w.e.f. 30.09.2023. The convict is presently undergoing the remaining sentence of seven years' rigorous imprisonment in case FIR No. 94/2001, under Section 397 IPC, P.S. Delhi Cantt., Delhi, w.e.f. 06.12.2024.
>
> *xxx xxx xxx"*

5. Perusal of the aforesaid clearly shows that as far as the sentence of the petitioner in the *FIR No. 50/2008* is concerned, the said sentence has already been suspended with effect from 30th September, 2023.

6. Further, as far as *FIR No. 94/2001* is concerned, this Court notes that *vide* judgment dated 22nd July, 2026, passed in *W.P.(CRL) 1663/2026,* a Coordinate Bench of this Court has already granted parole to the petitioner. The said judgment reads as under:

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"

1. Petitioner seeks parole for a period of thirty days in case FIR No. 94/2001 of PS Delhi Cantt. for offence under Section 397 IPC.

2. At the outset, learned ASC expresses anguish that despite specific directions of this court vide order dated 02.07.2026 and her having discussed the matter even with the Deputy Secretary, Home Affairs, the competent authority has till date not decided the application dated 10.04.2026 of the petitioner for being released on parole. Not just that, even *pairvi* officer has not been appointed by jail authorities till date to remain present in jail matters in court with complete instructions. Nothing can be worse inaction leading to complete frustration of the principles and philosophy behind the convict reformatory tools like parole and furlough. It appears that the State is not at all interested to oppose this petition.

3. I have heard learned counsel for petitioner and learned ASC for State.

4. It is submitted on behalf of petitioner/convict that by way of application dated 10.04.2026, he applied for parole for a period of 30 days for maintaining family and social ties especially because, 19.07.2026 happened to be the death anniversary (*though not the first one*) of his father. It is further submitted that the petitioner hails from poor strata of society and needs to arrange money for his family consisting of an old age mother, two sisters and two brothers.

5. As per nominal rolls, during the period of his jail term from the year 2016 onwards, the petitioner was released on furlough/parole almost 13 times and he duly surrendered after the completion of the furlough/parole period.

6. Keeping in mind the above circumstances and complete lack of interest of State in opposing this petition, the petition is allowed and the petitioner is directed to be released on parole for a period of thirty days subject to his furnishing a personal bond in the sum of Rs.10,000/- with one

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surety in the like amount to the satisfaction of the concerned Jail Superintendent. At the time of releasing the petitioner on parole, the concerned Jail Superintendent shall inform him in writing against acknowledgment, the specific date on which the petitioner has to surrender back after completion of parole period.

7. Copy of this order be sent to the concerned Jail Superintendent for compliance.

8. **Copy of this order be also sent to the Director General, Prisons, specifically drawing his attention to paragraph 2 of this order.** "

7. Perusal of the aforesaid judgment shows that the petitioner has already been directed to be released on parole for a period of 30 (thirty) days, subject to his furnishing a personal bond in the sum of Rs. 10,000/- (Rupees Ten Thousand Only), with one surety in the like amount to the satisfaction of the concerned Jail Superintendent.

8. This Court also takes note of the Status Report dated 28th September, 2026, filed on behalf of the State, wherein, the State confirms the fact of grant of parole to the petitioner.

9. Considering the facts and circumstances of the present case, and noting the fact that the sentence of the petitioner in *FIR No. 50/2008* is already suspended, there is no impediment in releasing the petitioner on parole, in terms of the judgment dated 22nd July, 2026, passed in *W.P.(CRL) 1663/2026.*

10. Accordingly, the concerned Jail Superintendent is directed to release the petitioner on parole, in terms of the judgment dated 22nd July, 2026, passed in *W.P.(CRL) 1663/2026,* on the terms and conditions, as stated therein.

11. With the aforesaid directions, the present petition is accordingly allowed, and disposed of.

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12. Copy of the order be sent to the concerned Jail Superintendent for information and necessary compliance.

MINI PUSHKARNA, J

OCTOBER 28, 2026/SK

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