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

\# **CNR No. DLHC010411182026**

\+ W.P.(CRL) 2667/2026

VIJAY PAL .....Petitioner

Through: Mr. Siddharth Yadav, Advocate

versus

STATE (NCT OF DELHI) .....Respondent

Through: Ms. Rupali Bandhopadhya, ASC for State with Mr. Abhijeet Kumar, Advocate
SI Suneel Kumar Sahu, P.S. South Rohini

CORAM:
HON'BLE MR. JUSTICE AMIT BANSAL

O R D E R

% 05.11.2026

1. The present petition has been filed seeking quashing of the order dated 1st September, 2026, rejecting the application filed by the petitioner for grant of parole. The petitioner seeks a direction for grant of parole for thirty (30) days.

2. The petitioner's application for grant of parole for maintaining social ties was rejected by the respondent vide order dated 1st September, 2026, on the ground that the petitioner has been convicted for multiple murders and would fall within the ambit of Rule 1211(VIII) of the Delhi Prisons Rules, 2018 (hereinafter 'DPR').

3. In the present case, the petitioner has been convicted for offences under Sections 302/392/394/34 of the Indian Penal Code, 1860, arising out

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of FIR No. 119/2004 registered at P.S. Rohini, Delhi and sentenced to life imprisonment along with fine.

4. Status report has been filed on behalf of the State.

5. In the status report, it has stated that the petitioner had wrongfully made a statement that he was released on parole for 21 days on 22nd September, 2026, whereas, he had been released on furlough.

6. It is a matter of record that the petitioner has duly surrender on 14th October, 2026, after period of furlough was over. Another objection taken in the status report is that simultaneous release of the co-convict cannot be granted in terms of Note 2 to Rule 1212 of the DPR.

7. It is stated that the co-convict Virender Kumar@Mintu has been granted parole by this Court *vide* order dated 14th October, 2026 and he is accordingly, due to surrender on 12th November, 2026. Yet another co-convict Surender@Kalwa has been granted parole *vide* order dated 29th September, 2026 and is awaiting release consequent to the surrender of Virender Kumar@Mintu.

8. I have heard the counsel for the parties.

9. The only ground for rejecting the parole of the petitioner is that he is convicted of multiple murders.

10. It has been repeatedly held by this Court that the bar contained in Rule 1211 of the DPR is not absolute. [See ***Jamahir* v. *State (NCT of Delhi),*** 2023 SCC OnLine Del 6820].

11. Further, Rule 1208 of the DPR expressly recognises maintaining family and social ties as an independent ground for consideration of parole.

12. In the judgment dated 16th August 2023 passed by this Court in W.P.(Crl.) 23/2023 titled ***"Chandrakant Jha* v. *State of NCT of Delhi",***

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parole was granted to the petitioner despite the petitioner therein having been convicted in three separate murder cases, taking into consideration the petitioner's prolonged incarceration, satisfactory jail conduct and his previous releases on parole and furlough without misuse of liberty.

13. The mere reference to the petitioner's conviction for multiple murders cannot, in view of the aforesaid judgments of this Court, constitute an absolute bar to grant of parole. The relevant consideration would be the petitioner's conduct, period of incarceration, likelihood of misuse of liberty and the circumstances warranting his temporary release.

14. As per the Nominal Roll, the petitioner has served 21 years 09 months of the sentence. The conduct of the petitioner in jail for the last year has been satisfactory. There are no other convicted or pending cases reflected against him. The petitioner has also been released in this year itself on furlough on many occasions. The petitioner has duly surrendered on time.

15. Considering the aforesaid facts and circumstances, in my considered opinion, the petitioner is entitled to the grant of parole. However, taking into account Note (2) of Rule 1212 of the DPR, which provides that two co-convicts in the same case cannot be simultaneously released on parole, the petitioner would have to be released after the co-convicts, Virender Kumar@Mintu and Surender@Kalwa surrender.

16. Accordingly, the present petition is allowed and the impugned order dated 1st September, 2026 is set aside. In view thereof, the petitioner is directed to be released on parole for a period of four (4) weeks after the co-convicts surrender, subject to his furnishing a personal bond in a sum of Rs.10,000/- and a cash surety of the like amount to the satisfaction of the Jail Superintendent and further subject to following conditions:

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a. That the petitioner shall report to the SHO of the local area, once a week on every Sunday at 10:00 AM.

b. The petitioner shall remain at his ordinary place of residence, i.e., Village Pachauta, P.S. Chola, Sikhera, District Bulandshahr, Uttar Pradesh, during the period of his release on parole.

c. The petitioner shall furnish a mobile/telephone number to the Jail Superintendent on which he can be contacted, if required. After his release, he shall also inform his mobile/telephone number to the SHO of the police station concerned.

d. The petitioner shall maintain peace and good behavior during his period of release on parole.

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

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

17. With the aforesaid directions, the petition stands disposed of.

18. Copy of the order be forwarded to the Jail Superintendent for necessary compliance.

AMIT BANSAL, J

NOVEMBER 5, 2026
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