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

+ **W.P.(CRL) 4327/2025**

AJAY KUMAR TRIPATHI @ AKSHAYPetitioner

Through: Mr. Chetan Bhardwaj and Ms. Priyal
Bhardwaj, Advocates.

versus

STATE GNCT OF DELHIRespondent

Through: Mr. Alok Sharma, Advocate for Mr.
Yasir Rauf Ansari, ASC for the
State.
SI Akash Kumar, P.S.: Bhajan Pura.

CORAM:

HON'BLE MR. JUSTICE ANUP JAIRAM BHAMBHANI

ORDER

% **10.03.2026**

CRL.M.A. 7043/2026

By way of the present application filed under section 528 of the Bharatiya Nagarik Suraksha Sanhita 2023 ('BNSS'), the petitioner seeks advancement of the date of hearing in the matter, which is otherwise posted on 01.04.2026.

2. For the reasons stated in the application, which is duly supported by affidavit, the application is allowed.
3. The matter is taken-up for hearing today.
4. The application stands disposed-of.



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5. By way of the present petition filed under Article 226 of the Constitution of India read with section 528 of the BNSS, the petitioner seeks parole for a period of 04 weeks in case FIR No.59/2000 registered under sections 364A/302/201 of the Indian Penal Code, 1860 at P.S.: Bhajan Pura, Delhi.
6. Further to what was recorded in order dated 20.01.2026, by way of status report dated 25.02.2026 the State has verified that the petitioner's minor son is presently residing with Mr. Ved Singh at Mohammad Pur Majri, North-West Delhi. A copy of the status report has been appended to the present petition.
7. In view of what is recorded in the status report, learned counsel for the petitioner submits, that the petitioner be granted parole to enable him to get his son admitted in an appropriate school, so that the petitioner's incarceration does not affect the child's educational prospects.
8. Mr. Alok Sharma, learned counsel appearing on behalf of Mr. Yasir Rauf Ansari, learned ASC (Criminal) for the State submits that (i) the petitioner has not furnished any specifics or particulars of the school in which his son is to be admitted; and (ii) the petitioner's nominal roll dated 16.01.2026 would show that he has jumped parole on 02 prior occasions, when he had to be re-arrested.
9. The nominal roll shows that the petitioner had first jumped parole in 2010, whereafter he was arrested in 2015; and the second instance was when the petitioner was granted emergency parole from 23.07.2021 to 18.09.2021, which was extended from time-to-time till



07.04.2023, but he did not surrender on the due date. Thereafter the petitioner was re-arrested on 29.12.2024.

10. The nominal roll otherwise shows that the petitioner has suffered judicial custody of more than 17 years as of 16.01.2026, without counting remission; that he has earned remission of almost 04 years, that his jail conduct during the last 01 year has been ‘satisfactory’; that he has been serving as ‘*Ward Sahayak*’; and that he has no other criminal involvements. The ground cited for seeking parole is for the petitioner to have his son admitted to school.
11. The status report also records that the petitioner’s wife had passed-away during COVID-19 pandemic; and that therefore his minor son is presently residing with the above-named Ved Singh, since the said person was also at one stage in prison with the petitioner.
12. Upon a conspectus of the facts and circumstances of the case, and especially the grounds cited for seeking parole, this court is persuaded to allow the present petition, thereby granting to the petitioner – **Ajay Kumar Tripathi s/o Ram Nawadh** – *parole* for a period of 04 weeks from the date of his release, subject to the following conditions:
 - 12.1. The petitioner shall furnish a personal bond in the sum of Rs. 15,000/- (Rs. Fifteen Thousand Only) with 01 local surety in the like amount, to the satisfaction of the Jail Superintendent;
 - 12.2. The petitioner shall not leave the State of Delhi without prior permission of this court and shall *ordinarily* reside at the address as per prison records/as mentioned in the petition;
 - 12.3. The petitioner shall present himself before the S.H.O., P.S.: Bhajan Pura, Delhi every Monday between 11 am and 11:30



am to mark his presence. However, he will not be kept waiting longer than an hour for this purpose;

- 12.4. The petitioner shall furnish to the S.H.O., P.S.: Bhajan Pura, Delhi a cellphone number on which the petitioner may be contacted at any time and shall ensure that the number is kept active and switched-on at all times ;
- 12.5. If the petitioner has a passport, he shall surrender the same to the Jail Superintendent;
- 12.6. The petitioner shall not indulge in any act or omission that is unlawful or that would prejudice the proceedings in pending cases, if any; and
- 12.7. Upon expiry of the period of parole, the petitioner shall surrender before the Jail Superintendent with demur.
13. The petition stands disposed-of in the above terms.
14. Pending applications, if any, also stand disposed-of.
15. A copy of this order be sent to the concerned Jail Superintendent *forthwith*.
16. The date of 01.04.2026 given earlier, stands cancelled.

ANUP JAIRAM BHAMBHANI, J

MARCH 10, 2026/ak