



2025:DHC:2014



\$~11

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

%

Date of Decision: 26.03.2025

+ **W.P.(CRL) 511/2025**

RANA PRATAP SINGH

.....Petitioner

Through: Ms. Tanya Agarwal, DHCLSC

versus

STATE GOVT. OF NCT OF DELHI AND ANR & ANR.

.....Respondents

Through: Mr. Sanjeev Bhandari, Advocate for
R1 with SI Dharamveer, PS Chhawla
Mr. Ishkaran S. Bhandari, Advocate
for R2

CORAM: JUSTICE GIRISH KATHPALIA

JUDGMENT (ORAL)

1. The petitioner, serving sentence of life imprisonment, seeks setting aside of order dated 03.12.2024, whereby his request for being released on parole for four weeks was declined.

2. By way of detailed order dated 03.12.2024, impugned in the present petition, the Assistant Commandant (Lit.) on behalf of Director General BSF rejected the application of the petitioner for being released on parole for four weeks to maintain social ties with family and to look-after his aged parents suffering with old age related ailments. In the impugned order, the offence of multiple murders by the petitioner has been described, from which it



2025:DHC:2014



appears that on the night intervening 16th and 17th November 2008, the petitioner on official duty killed four nationals of Bangladesh after crossing over the India-Bangladesh Border. In connection with that crossing over, the petitioner was also charged for the offence of leaving the picket without permission of his superior officers. In addition, it is further alleged in the impugned order that during his previous parole, the petitioner got involved in a case for offence under Section 354 IPC and Section 10 POCSO Act through FIR no. 1007/2020 of PS Chhawla.

3. On the last date, when the matter was taken up before the predecessor bench, trial arising out of case FIR No. 1007/2020 was pending. But today, learned counsel for petitioner has produced before me a photocopy of *dasti* copy of order dated 24.03.2025 of the learned trial court whereby the petitioner stands acquitted in case FIR No. 1007/2020.

4. As further reflected from last order, the respondents alleged that the petitioner is involved in another case FIR no. 175/2003 of PS Najafgarh, which is pending trial. But today it is submitted by learned counsel for respondents that they have not been able to locate the status of the said case despite their having written a request letter to the concerned DCP. In this regard, learned counsel for petitioner submits that petitioner is not aware of any such case and even otherwise, subsequent to the year 2003 also petitioner was repeatedly granted parole without the respondents raising the issue of any such FIR.



2025:DHC:2014



5. Thence, as on date no trial is pending against the petitioner and the petitioner suffering life sentence has earlier also been released on parole, from where he admittedly surrendered on due dates.

6. Considering the above circumstances, the petition is allowed and the petitioner is directed to be released on parole for a period of four weeks subject to his furnishing a personal bond in the sum of Rs. 10,000/- with one surety in the like amount to the satisfaction of the concerned Superintendent of the jail. It is directed that immediately after expiry of four weeks from the date of his release, the petitioner shall surrender in jail and in this regard, the specific date of surrender shall be conveyed to the petitioner by the Jail Superintendent in writing at the time of releasing him on parole. The petitioner shall reside at the premises of his residence described in the memo of parties and shall not leave the country. Further, the petitioner shall report his attendance before the concerned SHO on every Monday between 10:00 am and 11:00 am during the period he remains on parole. The petitioner shall furnish his mobile phone number to the SHO concerned and shall keep the mobile phone constantly switched on.

7. A copy of this order be immediately transmitted to the concerned Jail Superintendent for informing the petitioner.

**GIRISH KATHPALIA
(JUDGE)**

MARCH 26, 2025/as