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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**  
% *Date of Decision: 29<sup>th</sup> January, 2026*

+ W.P.(CRL) 216/2026 & CRL.M.A. 2055/2026

SUDAMA

.....Petitioner

Through: Dr. M.P. Singh, Advocate (DHCLSC)  
with Ms. Poorna and Mr. Vikram Lal,  
Advocates

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Sanjay Lao, Standing Counsel  
(Crl.) for State  
SI Naresh Kr., PS Dabri

**CORAM:**

**HON'BLE MR. JUSTICE MANOJ JAIN**

**J U D G M E N T (oral)**

1. Petitioner takes exception to order dated 21.11.2025 whereby he has been informed about rejection of his request for grant of parole.
2. Reason for rejection is two-fold.
3. Firstly, that petitioner has been convicted in a case under *Protection of Children from Sexual Offences Act, 2012* which disentitles him to parole and secondly, the address of the convict is not a permanent one and rather it pertains to some rented accommodation and, therefore, he may jump parole, if granted.
4. The petitioner seeks parole as he wants to file Special Leave Petition (SLP) against dismissal of his appeal.
5. Petitioner, who was held guilty for offence under Section 6 of *Protection of Children from Sexual Offences Act, 2012*, had filed Criminal



Appeal No. 89/2025 which has also been dismissed by learned Co-ordinate Bench of this Court on 03.07.2025 and learned counsel for petitioner submits that he wants to assail the aforesaid order by filing SLP, through a private counsel.

6. As per Rule 1208 of Delhi Prison Rules, 2018, the competent authority can consider any such application for grant of parole in case any such convict wants to pursue filing of Special Leave Petition before the Supreme Court of India against the judgment delivered by the High Court convicting or upholding the conviction, as the case may be.

7. It seems that aforesaid Rule has escaped the kind attention of the Competent Authority, while declining the aforesaid request.

8. Aforesaid Rule i.e. Rule 1208 would become redundant if the rejection is given merely on the basis of Rule 1211. Moreover, though as per Rule 1211, a person convicted under *Protection of Children from Sexual Offences Act, 2012* may not be entitled to grant of parole but the substantive Rule is not absolute as the Rule itself provides and postulates that parole can be given if there is any special circumstance.

9. Learned counsel for petitioner strongly relies upon *Neeraj Bhatt Vs. The State (Govt. of NCT) of Delhi: W.P. (Crl.) 3071/202* and *Nadeem Vs. State (Govt. of NCT of Delhi): W.P. (Crl.) 3627/2025*.

10. Mr. Sanjay Lao, learned Standing Counsel for State, in all fairness, submits that in case convict is desirous of filing Special Leave Petition, he would leave it to the discretion of this Court to pass appropriate orders. He submits that petitioner, otherwise, meets all the other requisite eligibility parameters and his conduct is satisfactory.

11. In view of the above, the present petition is allowed. 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.20,000/- 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 and shall not leave the National Capital Territory of Delhi during the period of parole.

(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 period of parole, the petitioner shall surrender before the Jail Superintendent.

(v) The petitioner shall furnish a copy of the SLP filed in the Supreme Court to the Superintendent Jail at the time of surrendering. A copy of the SLP shall also be placed on record in court.

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

12. Pending application stands disposed of in aforesaid terms.

**(MANOJ JAIN)**  
**JUDGE**

**JANUARY 29, 2026/dr/sy**