



2025:DHC:6298



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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**% *Judgment delivered on: 30.07.2025*+ **W.P.(CRL) 2013/2025**

JAGDISH

.....Petitioner

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

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Amol Sinha, ASC for
State with Mr. Kshitiz Garg,
Mr. Ashvini Kumar, Ms.
Chavi Lazarus, Mr. Nitish
Dhawan and Ms. Sanskriti
Nimbekar, Advs.**CORAM:****HON'BLE DR. JUSTICE SWARANA KANTA SHARMA****JUDGMENT****DR. SWARANA KANTA SHARMA, J (ORAL)**

1. By way of the present writ petition, the petitioner seeks grant of parole for a period of four weeks on the ground of helping his family in relocating their house.

2. As set out in the petition, and evident from the Nominal Roll on record, the petitioner is presently confined in Central Jail No. 14, Tihar, New Delhi, as he was convicted in FIR No. 623/2014, registered at Police Station Karol Bagh, Delhi for the offence punishable under Sections 326A/326B of the Indian Penal Code,



1860 (hereafter ‘IPC’) and was awarded sentence of Rigorous Imprisonment (RI) for a period of 10 years and a fine of Rs.10,000/- and in default of payment of fine, to undergo Simple Imprisonment (SI) for a period of one month for the offence punishable under Section 326A of the IPC; and RI for a period of five years and a fine of Rs.10,000/- and in default of payment of fine, to undergo SI for a period of one month, for the offence punishable under Section 326B of the IPC. The appeal preferred by him against his conviction, i.e. CRL.A. 283/2017, was dismissed by this Court *vide* judgment dated 12.11.2020.

3. The learned counsel appearing on behalf of the petitioner submits that the petitioner had approached the Competent Authority for grant of parole for a period of four weeks; however, the same was dismissed by the Competent Authority *vide* the impugned order dated 20.06.2025. It is argued that the competent authority has mechanically rejected the parole application of the petitioner. It is further argued that the petitioner has been in judicial custody for more than seven years, out of total sentence of 10 years, and since December, 2024, the petitioner has maintained good conduct inside jail and no punishment has been recorded against him. It is contended that the petitioner now seeks parole for helping his family in relocating their house. Thus, it is prayed that the petitioner be granted parole for a period of four weeks.

4. The learned ASC appearing on behalf of the State, on the other hand, argues that the petitioner herein is a habitual offender. It is also contended that the overall jail conduct of the petitioner is



unsatisfactory and he has been given about eight punishments in the past. It is therefore submitted that if released on parole, there is every likelihood that the petitioner may re-engage in criminal activities or abscond and fail to surrender.

5. This Court has **heard** arguments addressed by the learned counsel appearing for either side, and has perused the material placed on record.

6. The petitioner's application seeking parole was rejected by the Competent Authority *vide* order dated 20.06.2025, primarily on the ground that his jail conduct was not satisfactory and he has not earned reward in last 03 Annual Good Conduct Remission.

7. It is clear from the Nominal Roll that the overall jail conduct of the petitioner has not been satisfactory due to eight jail punishments awarded to him between the years 2016 and 2024. However, it is also apparent from the records that the last punishment awarded to him in the jail was on 07.12.2024, i.e. more than eight months ago. Since then, his jail conduct has been satisfactory. Therefore, it is clear that since the year 2024, till date, no punishment has been awarded to the petitioner. It is also a matter of record that no other criminal case is registered against the petitioner.

8. The petitioner was also granted emergency parole by the competent authority w.e.f. 15.06.2021, which was extended from time to time in terms of the order of the Hon'ble Supreme Court. He did not misuse the said liberty.

9. Thus, considering the overall facts and circumstances of the case, the period of incarceration of the petitioner, and his jail conduct



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of last eight months, and the fact that he wishes to help his family in relocating the house, this Court is inclined to direct the release of petitioner on parole for a period of one week (which shall be counted from the date of his release), on the following conditions:

- i. The petitioner shall furnish a personal bond in the sum of Rs.10,000/- with one surety of the like amount, who shall be his family member, to the satisfaction of the Jail Superintendent.
 - ii. The petitioner shall furnish a telephone/mobile number to the Jail Superintendent as well as SHO of local police station, on which he can be contacted if required. The said telephone/mobile number shall be kept active and operational at all the times by the petitioner.
 - iii. Immediately upon the expiry of the period of parole, the petitioner shall surrender before the Jail Superintendent.
 - iv. The petitioner will not be granted any extension of parole.
10. In above terms, the present writ petition is disposed of.
 11. A copy of this judgment be sent by the Registry to the Jail Superintendent concerned.
 12. The judgment be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

JULY 30, 2025/A