

Mukesh vs State Of Nct Of Delhi on 21 March, 2018

Author: Mukta Gupta

Bench: Mukta Gupta

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* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ W.P.(CRL) 847/2018
MUKESH

..... Petitioner
Represented by: Ms. Neha Kapoor, Advocate.

versus

STATE OF NCT OF DELHI
Represented by: Respondent
Mr. R.S. Kundu, ASC for the
State.

CORAM:
HON'BLE MS. JUSTICE MUKTA GUPTA
ORDER

% 21.03.2018 Crl.M.A. No. 5269/2018 (Exemption) Allowed, subject to all just exceptions.

W.P.(CRL) 847/2018 By this petition, the petitioners seek extension of parole which is expiring on 25th March, 2018 on the ground that the father of the petitioner is unwell and thus he has to look after the father.

Notice.

Learned ASC for the State accepts notice.

Status report has been handed over which is taken on record. Father of the petitioner is suffering from ailments like paralysis, hypertension, hepatitis -C and on this ground the petitioner was granted parole by the government for a period of four weeks with a further extension W.P.(CRL) 847/2018 page 1 of 2 by the government for a period of two weeks. The six weeks parole granted to the petitioner is expiring on 25th March, 2018. The petitioner had applied for further extension of parole before the competent authority on 17 th March, 2018, however, no reply has been received. Hence, the present petition.

Though the factum of ailment of the father of the petitioner has been verified as he has been found suffering from hepatitis - C and is paralytic thus lying on the bed and cannot move, however, verification report also reveals that the petitioner has two brothers.

As per the status report the elder brother of the petitioner, Rakesh, who was also convict in the same case after being released from the Sentence Review Board, is now residing at Vrindawan, Distt.

Mathura, UP with his family and Suresh, younger brother of the petitioner is residing at Vaishali, Ghaziabad, UP.

It is evident that the two brother of the petitioner are residing nearby and can thus look after the father. Indefinite extension of parole cannot be granted to the petitioner on the ground that he has to look after the father when there are other family members who can arrange their schedule accordingly.

In view of parole of six weeks having already granted on the ground of father's ailments, this Court finds no ground to extend the parole.

Petition is dismissed.

MUKTA GUPTA, J.

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