

Arshad Ali @ Munna Khan vs State (Gnct Of Delhi) on 12 June, 2024

Author: Amit Sharma

Bench: Amit Sharma

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* IN THE HIGH COURT OF DELHI AT NEW DELHI
+ W.P.(CRL) 2117/2020

ARSHAD ALI @ MUNNA KHAN

Through: Mr. Kumar Vaibhav,
Yadav & Mr. Mohd.
Advocates.

STATE (GNCT OF DELHI)

Through:

CORAM:

HON'BLE MR. JUSTICE AMIT SHARMA

% 12.06.2024

1. The present petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973 (hereinafter referred as "Cr.P.C.") seeks the following prayers:

"a) Allow the present Writ in the nature of Certiorari quashing order No. F.18/88/2019/HG/3309 dated 12.10.2020 passed by competent authority.

b) Issue a Writ of Mandamus directing the competent authority to release the petitioner on parole for the period of three months.

c) Pass any other order or orders in the interest of justice."

2. The petitioner in the present case had been convicted in Sessions Case no. 54/2014 arising out of FIR No. 366/2014 under Sections 302/506 of the IPC, registered at PS: Nand Nagri vide judgement dated 28.02.2018 and order on sentence dated 09.03.2018 passed by Learned ASJ and was This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 13/06/2024 at 20:50:10 sentenced to life imprisonment with a condition that he should not be released on remission before actual 28 years of incarceration under Section 302 IPC. The Learned Trial Court in paragraph 15 of the aforementioned order on sentence dated 09.03.2018, records as under:

"In the light of the aforesaid factum and balancing out the aggravating and mitigating circumstances, I am of the considered opinion that the present case does not fall in the category of rarest of the rare case, therefore sentence of death by Capital Punishment would not be justified and at the same time possibility of award of remission and release of convict on completion of sentence of 14 years would be inadequate and parlous."

Thereafter, in the same paragraph, further records, "In light of above, convict Arshad Ali @ Munna Khan is sentenced to Life Imprisonment with a direction that he would not be released on remission before actual 28 years of incarceration u/s 302 IPC and fine of Rs.10,000/- in default of payment of which he shall undergo six months SI and for offence punishable u/s 506 IPC convict Arshad Ali @ Munna Khan is sentenced to 2 years rigorous imprisonment." In paragraph 16, the Learned Trial Court further records as, ".....The direction that convict would not be released on remission before actual 28 years of incarceration u/s 302 IPC, would not affect the power under Article 72 and 161 of the Constitution of India."

3. The aforementioned order was appealed against before this Court and vide order dated 22.01.2019, the Learned Division Bench of this Court upheld the judgement of the Learned Trial Court with a slight modification in the sentence which reads as, "Given the aforesaid facts and circumstances, the appellant is sentenced to undergo rigorous imprisonment for life with a direction that he shall not be released before completing 25 This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 13/06/2024 at 20:50:10 years of incarceration under Section 302 IPC alongwith a fine of Rs.10,000/-." Period of rigorous imprisonment was thus reduced from 28 years to 25 years.

4. The petitioner applied for parole for a period of 3 months on the ground of "to maintain family and social ties" before the Competent Authority (Respondent), which was rejected vide order No. F.18/88/2019/HG/3309 dated 12.10.2020 on the ground that this Court in its judgement had upheld the conviction of the petitioner with a condition of no release before 25 years (Learned Trial Court's order on sentence of no remission before 28 years was modified to 25 years) and the present petitioner had only spent 06 years and 5 months in jail till then. The said rejection order records as under:

".....With reference to your office letter No. F.11/SCJ-11/CJ- 11/AS(CT)/2020/811 dated 08.09.2020 on the above subject. I am directed to inform you that the request in respect of the convict for grant of parole has been considered and rejected by the

Hon'ble Minister, Home, GNCT of Delhi in view of the followings:-

1. The Hon'ble High Court vide its order dated 22.01.2019, disposing of the appeal of convict ordered that "appellant is sentenced to undergo rigorous imprisonment of life with a direction that he shall not be released before completing 25years of incarceration under section 302 IPC alongwith affine of Rs. 10,000/-.

2. The convict has spent only 06 years & 05 months in jail."

5. The learned counsel for the petitioner submits that the latter has been languishing in jail for approximately about 6 years and 6 months (excluding the under-trial period) out of his total sentence of imprisonment for life and had applied for parole before the Competent Authority (respondent) on the ground of "to maintain family and social ties". It is submitted that the respondent had rejected the parole application of the petitioner on whimsical This is a digitally signed order.

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6. It is further submitted that the petitioner is a senior citizen aged approximately about 83 years and is suffering from various old-aged ailments including asthma, BP, leprosy and is currently undergoing treatment from jail OPD and from outside. It is further submitted that the petitioner has become deaf in the ears and lost his vision in the left eye due to senility and may not complete the continuous sentence of 25 years.

7. Reliance is placed on the following judgements:

i) Atbir vs. State (NCT of Delhi) (2022) 13 SCC 96

ii) Ravinder Singh vs. State W.P. (Crl.) 2428/2018 (order dated 20.12.2019 passed by the Hon'ble Delhi High Court)

8. Per contra, learned APP for the State submits that the petitioner has been convicted for offences which are serious in nature and therefore, the Hon'ble Division Bench vide its order dated 22.01.2019 had upheld the conviction of the Learned Trial Court with the stipulation of no remission before 25 years considering the heinous nature of the crimes.

9. Heard the learned counsel for the parties and perused the record.

10. Perusal of the aforesaid order on sentence passed by the Learned Trial Court and the judgment given by Learned Division Bench of this Court reflects that the intent was to ensure that the present

petitioner undergoes actual incarceration of the period of 28 years (reduced to 25 years by the Learned Division Bench) before being considered for remission under Section 432 of the Cr.P.C. It is also pertinent to note that the Learned Trial This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 13/06/2024 at 20:50:10 Court while restricting the exercise of powers under Section 432 of the Cr.P.C., in its wisdom did not pass any direction with regard to the constitutional powers provided for under Articles 72 and 162 of the Constitution of India.

11. Section 432 of the Cr.P.C. provides for remission of sentence by appropriate Government which reads as under:-

"432. Power to suspend or remit sentences.--(1) When any person has been sentenced to punishment for an offence, the appropriate Government may, at any time, without conditions or upon any conditions which the person sentenced accepts, suspend the execution of his sentence or remit the whole or any part of the punishment to which he has been sentenced.

(2) Whenever an application is made to the appropriate Government for the suspension or remission of a sentence, the appropriate Government may require the presiding Judge of the Court before or by which the conviction was had or confirmed, to state his opinion as to whether the application should be granted or refused, together with his reasons for such opinion and also to forward with the statement of such opinion a certified copy of the record of the trial or of such record thereof as exists.

(3) If any condition on which a sentence has been suspended or remitted is, in the opinion of the appropriate Government, not fulfilled, the appropriate Government may cancel the suspension or remission, and thereupon the person in whose favour the sentence has been suspended or remitted may, if at large, be arrested by any police officer, without warrant and remanded to undergo the unexpired portion of the sentence.

(4) The condition on which a sentence is suspended or remitted under this section may be one to be fulfilled by the person in whose favour the sentence is suspended or remitted, or one independent of his will. (5) The appropriate Government may, by general rules or special orders, give directions as to the suspension of sentences and the conditions on which petitions should be presented and dealt with:

Provided that in the case of any sentence (other than a sentence of fine) passed on a male person above the age of eighteen years, no such petition by the person sentenced or by any other person on his behalf shall be entertained, unless the person sentenced is in jail, and--

(a) where such petition is made by the person sentenced, it is presented This is a digitally signed order.

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(b) where such petition is made by any other person, it contains a declaration that the person sentenced is in jail.

(6) The provisions of the above sub-sections shall also apply to any order passed by a Criminal Court under any section of this Code or of any other law, which restricts the liberty of any person or imposes any liability upon him or his property (7) In this section and in section 433, the expression "appropriate Government" means,--

(a) in cases where the sentence is for an offence against, or the order referred to in sub-section (6) is passed under, any law relating to a matter to which the executive power of the Union extends, the Central Government;

(b) in other cases, the Government of the State within which the offender is sentenced or the said order is passed."

12. Section 433A of Cr.P.C. puts certain restriction on the power of the Competent/appropriate Government for release of the prisoner unless he has served 14 years of imprisonment. Thus, the said section curtails the power of the appropriate Government to a certain extent. Section 433A of the Cr.P.C. reads as under:-

"433A. Restriction on powers of remission or commutation in certain cases.--Notwithstanding anything contained in section 432, where a sentence of imprisonment for life is imposed on conviction of a person for an offence for which death is one of the punishments provided by law, or where a sentence of death imposed on a person has been commuted under section 433 into one of imprisonment for life, such person shall not be released from prison unless he had served at least fourteen years of imprisonment."

13. The Constitutional Bench of the Hon'ble Supreme Court in Maru Ram vs. Union of India and Others (1981) 1 SCC 107, while upholding the vires of Section 433A of the Cr.P.C. held as under:-

"72. *** (14) Section 433-A does not forbid parole or other release within the 14-year span. So to interpret the section as to intensify inner tension and intermissions of freedom is to do violence to language and This is a digitally signed order.

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Server on 13/06/2024 at 20:50:10 liberty."

Thus, a clear distinction was made between the powers with regard to release of a convict by virtue of exercise of powers under Section 432/433A of the Cr.P.C. and that of parole.

14. A similar view was taken by a co-ordinate Bench of this Court vide order dated 20.12.2019 in W.P. (Crl.) 2428/2018 titled as Ravinder Singh vs. State, wherein it has been observed and held as under:

"27. Thus, even if it is accepted that the direction of the Trial Court not to grant clemency to the petitioner until he had served twenty years of imprisonment, should be construed as a direction to prohibit grant of remission under Section 432 of the Cr.P.C., the same would still not preclude the petitioner from seeking parole or furlough."

Similarly, another Learned Single Judge-Bench of this Court vide order dated 18.08.2015 in W.P. (Crl.) 1174/2015 titled as Aman Kumar Rastogi vs. State has observed as under:

"On the first date this Court had kept this petition for its maintainability. Learned counsel for the petitioner has placed reliance upon a judgment of the Apex Court reported in Maru Ram Vs. Union of India (1981) 1 SCC 107 where the Apex Court while dealing with the restriction on the powers of remission in the context of Section 433 A of the Cr.P.C. had noted that the right of a convict to be considered for parole would not be affected even if his sentence is without remissions."

15. Learned Division Bench of this Court vide order dated 01.08.2022 in LPA No. 75/2022 titled as Chandra Kant Jha vs. State, had an occasion to deal with a similar issue. In the said case, the appellant therein, i.e., Chandra Kant Jha, was undergoing a life sentence with a minimum period of 25 years without remission. His application for grant of parole was rejected and the said order was challenged by way of a writ petition (Crl.) no. 682/2019 This is a digitally signed order.

The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 13/06/2024 at 20:50:10 (clubbed with writ petition (Crl.) no. 2049/2019). The said petition was dismissed by a Learned Single Judge-Bench of this Court vide order dated 03.07.2020. It is pertinent to note that the said order dated 03.07.2020 was relied upon by a Learned Single Judge-Bench of this Court in another Writ Petition (Crl.) bearing no. 3345/2019, dismissing the request for furlough in a case where, vide the presidential order dated 15.11.2012, the Hon'ble President of India was pleased to modify the sentence of death awarded to the said petitioner/appellant to the extent that the petitioner/appellant would remain in prison for whole of the remainder of his natural life without parole and without remission in the term of imprisonment. The said order was challenged by the said petitioner/appellant and vide the judgement in Atbir vs. State (NCT of Delhi) (2022) 13 SCC 96, where the Hon'ble Supreme Court set aside the said order and the reasoning given by the Learned Single Judge-Bench in order dated 03.07.2020 (Re: Chandra Kant Jha). Consequently, the Learned

Division Bench vide order dated 01.08.2022 in the aforementioned LPA had set aside the order dated 03.07.2020 and remanded the matter back to the Director General of Prisons, Prison Headquarters, Tihar, Janakpuri by observing as under:

"6. In the light of the findings arrived at by the Hon'ble Supreme Court, the appeal is allowed. The order passed by the learned Single Judge dated 03.07.2020 is set aside. The case of the appellant is restored for reconsideration of the Director General of Prisons, Prison Headquarters, Tihar, Janakpuri. The judgment delivered by the Hon'ble Supreme Court shall apply mutatis mutandis in the present case also."

16. Subsequently, it is a matter of record that the aforesaid Chandra Kant Jha had been released on parole and furlough on various occasions, as has been observed by another Learned Single Judge-Bench of this Court in This is a digitally signed order.

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"7. In the instant case, the petitioner has undergone more than 15 years and 6 months in judicial custody and he has not been released in the last 3 years. The conduct of the petitioner is satisfactory, he has also been released on parole on five occasions and furlough on seven occasions and there is no allegation that the petitioner had misused his liberty, therefore, this Court considers it apposite to allow the present petition. Accordingly, the petition is allowed and petitioner is granted parole for a period of 90 days on the following conditions:

....."

17. At this stage, it is also pertinent to refer to a judgement of a three Judge-Bench of the Hon'ble Supreme Court in Dadu Alias Tulsidas vs. State of Maharashtra (2000) 8 SCC 437, wherein Section 32A of the Narcotic Drugs and Psychotropic Substances Act, 1985 (hereinafter referred as "NDPS Act") was held to be unconstitutional to the extent that it took away the right of the Court to suspend the sentence of a convict under the NDPS Act. Section 32A of the NDPS Act reads as under:

"32A. No suspension, remission or commutation in any sentence awarded under this Act.-- Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974), or any other law for the time being in force but subject to the provisions of section 33, no sentence awarded under this Act (other than section 27) shall be suspended or remitted or commuted."

In the aforesaid judgment, the Hon'ble Supreme Court in relation to parole, observed and held as under:-

"11. It is thus clear that parole did not amount to the suspension, remission or commutation of sentences which could be withheld under the garb of Section 32-A of the Act. Notwithstanding the provisions of the offending section, a convict is entitled to parole, subject however, to the conditions governing the grant of it under the statute, if any, or the jail manual or the government instructions. The Writ Petition No. 169 of 1999 apparently appears to be misconceived and filed in a hurry This is a digitally signed order.

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29. Under the circumstances the writ petitions are disposed of by holding that:

(1) Section 32-A does not in any way affect the powers of the authorities to grant parole.

(2) It is unconstitutional to the extent it takes away the right of the court to suspend the sentence of a convict under the Act. (3) Nevertheless, a sentence awarded under the Act can be suspended by the appellate court only and strictly subject to the conditions spelt out in Section 37 of the Act, as dealt with in this judgment."

The aforesaid pronouncement further reiterates the legal position that parole cannot be considered as remission. Parole has been defined under Delhi Prison Rules, 2018, as below:

"1198. Parole means temporary release of a prisoner for short period so that he may maintain social relations with his family and the community in order to fulfill his familial and social obligations and responsibilities. It is an opportunity for a prisoner to maintain regular contact with outside world so that he may keep himself updated with the latest developments in the society. It is however clarified that the period spent by a prisoner outside the prison while on parole in no way is a concession so far as his sentence is concern. The prisoner has to spend extra time in prison for the period spent by him outside the Jail on parole."

Furthermore, the conditions for granting parole have also been enumerated in the following rules, as below:

"1208. Subject to fulfillment of conditions stipulated in Rule 1210 below, it would be open to the Competent authority to consider applications for parole on the grounds such as :-

i. Serious illness of a family member.

ii. Critical conditions in the family on account of accident or death of a family member.

iii. Marriage of any member of the family of the convict; iv. Delivery of a child by the legally wedded wife of the convict. v. Serious damage to life or property of the family of the convict This is a digitally signed order.

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vii. To maintain family and social ties.

viii. To pursue the filing of a Special Leave Petition before the Supreme Court of India against a judgment delivered by the High Court convicting or upholding the conviction, as the case may be."

*** ** 1210. In order to be eligible for release on parole in terms of Rule above:-

I. A convict must have served at least the period of one year in prison excluding under-trial period and any period covered by remission. However, in exceptional cases, where the prisoner has spent more than 3 years as under trial period or half of the sentence of the punishment awarded as under trial then his parole application may be considered, if he has spent at least 6 months in prison as convict.

II. The conduct of the Prisoner who has been awarded major punishment for any prison offence should have been uniformly good for last two years from the date of application and the conduct of Prisoner who has been awarded minor punishment or no punishment for any prison offence in prison should have been uniformly good for last one year from the date of application.

III. During the period of release on parole or furlough, if granted earlier, the convict should not have committed any crime. IV. The convict should not have violated any terms and conditions of the parole or furlough granted previously.

V. A minimum of six months ought to have elapsed from the date of surrender on the conclusion of the previous parole availed. In emergency, parole may be considered even if minimum period of six months has not elapsed from the date of termination of previous Parole. The emergency may include delivery of a child by the wife of the convict, death of a family member, marriage of children, terminal illness of family members and natural calamities."

Furthermore, cases where parole shall not be granted, except for the discretion of the Competent Authority have also been enumerated in the following rule, as under:

"1211. In the following cases, parole shall not be granted, except, if in the discretion of the competent authority special circumstances exist for grant of parole;

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The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above. The Order is downloaded from the DHC Server on 13/06/2024 at 20:50:10 I. Prisoners convicted under sedition, terrorist activities and NDPS Act. II. Prisoners whose immediate presence in the society may be considered dangerous or otherwise prejudicial to public peace and order by the District Magistrate of his home district or there exists any other reasonable ground such as a pending investigation in a case involving serious crime.

III. Prisoners who are considered dangerous or have been involved in serious prison violence like assault, outbreak of riot, mutiny or escape, or rearrested who absconded while released on parole or furlough or who have been found to be instigating serious violation of prison discipline as per the reports in his/ her annual good conduct report. IV. Convicted foreigners subject to prior approval of Ministry of Home Affairs & Ministry of External Affairs and having valid permission to stay in India.

V. Prisoners suffering from mental illness, if not certified by the Medical Officer to have recovered, VI. If the prisoner is convicted of murder after rape; VII. If the prisoner is convicted under POCSO;

VIII. If prisoner is convicted for multiple murders whether in single case or several cases.

IX. If prisoner is convicted for Dacoity with murder. X. If prisoner is convicted for Murder after kidnapping for ransom. XI. If the prisoner is convicted under Prevention of Corruption Act. XII. If the case is investigated by the Central Bureau of Investigation or Central Agency."

(emphasis supplied)

18. A perusal of the order bearing no. F.18/88/2019/HG/3309 dated 12.10.2020 by the Hon'ble Deputy Secretary (Home), Government of NCT of Delhi rejecting the application of the present petitioner for parole reflects that it was purely on the ground that the fixed sentence of 25 years was awarded with the direction that the petitioner shall not be released. It is pertinent to note that the sentence awarded does not exclude grant of parole or furlough to the petitioner. The Competent Authority has not assigned any other reason for not granting parole to the present petitioner, in terms of Rule 1211 of the Delhi Prison Rules, 2018.

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19. So far as the other conditions enumerated in Rule 1211 of the Delhi Prison Rules, 2018 are concerned; it has been consistently held that seriousness of the offence cannot be taken as a circumstance to deny parole. A Division Bench of the Hon'ble Supreme Court in Asfaq vs. State of Rajasthan and Others (2017) 15 SCC 55, while deliberating on the importance of grant of parole to persons convicted of serious/heinous offences, has observed and held as under:

"17. From the aforesaid discussion, it follows that amongst the various grounds on which parole can be granted, the most important ground, which stands out, is that a prisoner should be allowed to maintain family and social ties. For this purpose, he has to come out for some time so that he is able to maintain his family and social contact. This reason finds justification in one of the objectives behind sentence and punishment, namely, reformation of the convict. The theory of criminology, which is largely accepted, underlines that the main objectives which a State intends to achieve by punishing the culprit are:

deterrence, prevention, retribution and reformation. When we recognise reformation as one of the objectives, it provides justification for letting of even the life convicts for short periods, on parole, in order to afford opportunities to such convicts not only to solve their personal and family problems but also to maintain their links with the society. Another objective which this theory underlines is that even such convicts have right to breathe fresh air, albeit for (sic short) periods. These gestures on the part of the State, along with other measures, go a long way for redemption and rehabilitation of such prisoners. They are ultimately aimed for the good of the society and, therefore, are in public interest.

18. The provisions of parole and furlough, thus, provide for a humanistic approach towards those lodged in jails. Main purpose of such provisions is to afford to them an opportunity to solve their personal and family problems and to enable them to maintain their links with society. Even citizens of this country have a vested interest in preparing offenders for successful re-entry into society. Those who leave prison without strong networks of support, without employment prospects, without a fundamental knowledge of the communities to which they will return, and without resources, stand a significantly higher chance of failure. When offenders revert to criminal activity This is a digitally signed order.

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22. Another vital aspect that needs to be discussed is as to whether there can be any presumption that a person who is convicted of serious or heinous crime is to be, ipso facto, treated as a hardened criminal. Hardened criminal would be a person for whom it has become a habit or way of life and such a person would necessarily tend to commit crimes again and again. Obviously, if a person has committed a serious offence for which he is convicted, but at the same time it is also found that it is the only crime he has committed, he cannot be categorised as a hardened criminal. In his case consideration should be as to whether he is showing the signs to reform himself and become a good citizen or there are circumstances which would indicate that he has a tendency to commit the crime again or that he would be a threat to the society. Mere nature of the offence committed by him should not be a factor to deny the parole outrightly. Wherever a person convicted has suffered incarceration for a long time, he can be granted temporary parole, irrespective of the nature of offence for which he was sentenced. We may hasten to put a rider here viz. in those cases where a person has been convicted for committing a serious offence, the competent authority, while examining such cases, can be well advised to have stricter standards in mind while judging their cases on the parameters of good conduct, habitual offender or while judging whether he could be considered highly dangerous or prejudicial to the public peace and tranquillity, etc.

23. There can be no cavil in saying that a society that believes in the worth of the individuals can have the quality of its belief judged, at least in part, by the quality of its prisons and services and recourse made available to the prisoners. Being in a civilised society organised with law and a system as such, it is essential to ensure for every citizen a reasonably dignified life. If a person commits any crime, it does not mean that by committing a crime, he ceases to be a human being and that he can be deprived of those aspects of life which constitute human dignity. For a prisoner all fundamental rights are an enforceable reality, though restricted by the fact of imprisonment. [See Sunil Batra (2) v. State (UT of Delhi) [Sunil Batra (2) v. State (UT of Delhi), (1980) 3 SCC 488 : 1980 SCC (Cri) 777] , Maneka Gandhi v. Union of India [Maneka Gandhi v. Union of India, (1978) 1 SCC 248] and Charles Sobraj v. Supt., Central Jail [Charles Sobraj v. Supt., This is a digitally signed order.

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20. Nominal Roll of the petitioner dated 05.02.2024, received from the Superintendent of Jail, Central Jail No. 11, Mandoli reflects that as on 02.02.2024, the petitioner has been in jail from 09.03.2018 (convict period) and has undergone 05 years 10 months and 24 days (09 years 09 months and 24 days including the under-trial period) of judicial incarceration and has earned a total remission of 1 year 1 month and 06 days. Besides, a perusal of the Nominal Roll further reflects that the petitioner's conduct has been "satisfactory" throughout such period of judicial incarceration.

21. In totality of the facts and circumstances of the case and taking into consideration the advance age of the petitioner and his medical condition, the present petition is partly allowed. The petitioner is directed to be released on parole for a period of 2 months from the date of his release on his furnishing a personal bond in the sum of Rs. 10,000/- with one surety of the like amount, to the satisfaction of the concerned Jail Superintendent, further subject to the following conditions:

i. Status Report dated 08.01.2021, authored by Insp. Anupam Bhushan, SHO/ PS Nand Nagri confirms the address of the petitioner and states that the latter had been residing at address bearing no. H.No.-K-285, Sunder Nagri with his children. In case of any change in address, the petitioner is directed to inform the same to the concerned Jail Superintendent and to this Court by way of an affidavit.

ii. The petitioner shall not leave the NCT of Delhi without the prior permission of this Court and shall reside at the given address.

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iv. The petitioner shall furnish his mobile number(s) to the concerned jail authorities and to the Investigating Officer and keep it operational at all times.

v. The petitioner shall surrender before the concerned jail authorities immediately upon the expiry of his parole.

22. The petition is partly allowed and disposed of.

23. Pending application(s), if any, also stand disposed of.

24. Copy of this order be sent to the concerned Jail Superintendent for necessary information and compliance.

25. Order be uploaded on the website of this Court, forthwith.

AMIT SHARMA, J JUNE 12, 2024/sn Click here to check corrigendum, if any This is a digitally signed order.

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