



2026:DHC:9034



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

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Date of Decision: 12.10.2026# **CNR No. DLHC010487802026**+ **W.P.(CRL) 3195/2026****DHEERAJ**

.....Petitioner

Through: **Ms. Dolly Sharma, Advocate.**

versus

STATE NCT OF DELHI

.....Respondent

Through: **Mr. Sangeet Sibou, Advocate with SI
Sumeet Poonia, PS Vivek Vihar.****CORAM: JUSTICE GIRISH KATHPALIA****J U D G M E N T (ORAL)**

1. Petitioner has assailed order dated 27.08.2026 bearing no.F.18/13/2026/HG/Prisons/7803-05 passed by the Deputy Secretary, Home Department, GNCT of Delhi and seeks parole for a period of four weeks in case FIR No. 98/2018 of PS Vivek Vihar for offence under Section 392/397/411/34 IPC and Section 27 Arms Act.

2. The petitioner had sought parole on the ground that his wife had to undergo some surgery. The parole application of petitioner was rejected by the competent authority on the ground that six months from previous parole

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KATHPALIA**

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had not elapsed.

3. Status report has been filed on behalf of jail, according to which in view of Rule 1210(v) Delhi Prisons Rules, the parole could not be granted because six months from previous parole had not elapsed.

4. Learned counsel for petitioner submits that the impugned order is not sustainable in law because the previous parole, which had been granted to the petitioner on the ground of illness of his son expired on 17.02.2026, so six months period requisite under the rules expired on 16.08.2026, but the impugned rejection is dated 27.08.2026. I find substance in the submission.

5. Learned counsel appearing on behalf of ASC submits that they have also verified medical documents of wife of petitioner, from which it appears that her surgery is fixed for today itself. Learned counsel for petitioner submits that she is not aware if the surgery has been carried out today.

6. Considering the above circumstances, the petition is allowed and the impugned order is set aside 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 Jail Superintendent. It is made clear that if the surgery of wife of petitioner is not performed, there shall be no extension of this parole, because earlier also the parole was got extended by the petitioner.

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7. Copy of this order be sent to the concerned Jail Superintendent for compliance.

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**GIRISH KATHPALIA
(JUDGE)**

OCTOBER 12, 2026/dr