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

+ **W.P.(CRL) 2682/2025**

DEEPAK NANDA

.....Petitioner

Through: Mr. Sarthak Maggon, Mr. Raunak Parmar and Mr. Aditya Kumar, Advocates.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Yasir Rauf Ansari, ASC (Criminal) with Mr. Alok Sharma, Advocate.
SI Sandeep, PS – Bindapur.

CORAM:

HON'BLE MR. JUSTICE ARUN MONGA

ORDER

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09.10.2025

CRL.M.A. 30117/2025

1. Petitioner herein before this Court is seeking grant of parole for a period of eight weeks.
2. Petitioner was convicted in a case arising out of FIR No. 7/2009 registered under Sections 302/397/34 of the IPC, at Police Station Bindapur. He has been sentenced to undergo life imprisonment, out of which he has completed over 18 years of incarceration with remission.
3. Briefly speaking, the case pleaded by the petitioner is that he seeks urgent directions to the Respondent for grant of parole for a period of eight weeks who is undergoing life imprisonment in the aforesaid FIR. As per the



nominal roll dated 03.10.2025, the Petitioner has completed 15 years, 11 months, and 28 days of actual incarceration, and has earned 2 years, 2 months and 12 days of remission, aggregating to over 18 years and 2 months of custody.

3.1 The Petitioner seeks temporary release on parole to be with his ailing wife who is suffering from various diseases and maintain social ties with his daughter who is settled in Australia.

3.2 The learned counsel for the petitioner submits that the order of the sentence review board has been passed mechanically basing its entire reasoning on the incorrect jail punishments.

4. This matter was in fact earlier heard by me and disposed of vide an order dated 16.09.2025. Relevant part of the said order is as below :-

“ 3. On resumed hearing today, status report has been submitted by the State. The relevant extract thereof reads as under:

“XXX XXX XXX

4. The Petitioner has sought parole to oversee and participate in the division of the ancestral property before the niece's marriage le set from 27 to 30 november 2025. During enquiry it was found that family of petitioner lives at H.No. 1272/86, Shanti Nagar, Tri Nagar, Delhi. Enquiry was also made from family members i.e. Jyoti Nanda(Wife of Deepak Nanda), Rajkumar(Brother of Deepak Nanda), Puneet Nanda(Brother of Deepak Nanda) as well as neighbors and it has been found that marriage of Manvi Nanda, Age-22 years Dio Rajkumar Nanda(Neice of petitioner) has been fixed for 29th November, 2025, but, due to Shradh Paksh, no marriage card has been printed so far. Moreover, Jyoti Nanda(Wife of Deepak Nanda) has given a booking receipt of Starland Marriage garden. GT Karnal Road, Industrial area, Ashok Vihar, New Delhi



for wedding function of 29.11.2025 on the name of Manvi Nanda, which has been verified telephonically. Copy of the same is Annexed as “Annexure-A”

5. During enquiry, Brothers of petitioner, namely Rajkumar Nanda and Puneet Nanda have stated that their parents havtexpired and for documentation of House No. 1272/86, Shanti Nagar, Tri Nagar, Delhi, presence of their brother/petitioner Deepak Nanda is required.

6. As per record no previous criminal involvement of the petitioner is found, Copy of the same is annexed as “Annexure-B”.

*The undersigned is ready to abide by any directions/orders as passed by the Hon'ble court.”
[Emphasis supplied]*

4. In the course of hearing, learned APP for State submits that in view of the aforesaid report the case of the applicant shall be processed by the Competent Authority and a decision will be taken in accordance with law qua his entitlement to parole on the ground of marriage in the family as already noted in the report, ibid.

5. In view of the aforesaid statement, no further indulgence is warranted by this Court. Accordingly, the petition is disposed of with a direction to the respondent /competent authority that the case of the applicant shall be taken up positively within a period of two weeks from today and a decision shall be taken eitherway in respect of the petitioner.

6. Needless to say that in case, the applicant is found entitled as per the provisions of the Jail Manual, he shall be accorded the benefit of parole since the reasons for seeking the same are not in dispute as per the report, ibid.

7. A copy of this order be sent to the Jail Superintendent through e mail to enable him to carry out the due compliance.

8. In case, the applicant is not granted parole, liberty is granted to the petitioner to file an appropriate application in the instant



proceedings which though otherwise stand disposed of vide the instant order.”

5. Apropos, it transpires that the case of the petitioner has not been taken on administrative side despite specific directions issued by this Court.
6. On a court query put to learned ASC, he would submit that file could not be put up before the competent authority.
7. It turns out that despite directions issued by this Court, usual delays are being taken as an excuse *qua* the non-compliance thereof.
8. Be that as it may, learned ASC would submit that after passing of the aforesaid order, the contents of the main petition were since verified and reasons for seeking parole therein have been found to genuine. Thus, he has no objection if the petitioner is accorded parole for a period of four weeks. However, the spell of parole by virtue of this court order may directed to be factored towards its entitlement as per the jail manual, he submits. In view of thereof, the application stands disposed of accordingly.
9. In the parting, I may hasten to add here that parole also serves a reformative and humanitarian purpose by preserving family ties and supporting rehabilitation. Despite directions dated 16.09.2025 requiring a decision on his parole within two weeks, the authorities failed to comply. Such administrative delay cannot be allowed to prejudice the petitioner's rights. While parole, no doubt, is a concession, but it is, in essence, a reformative measure grounded in Article 21 of the Constitution, ensuring the right to life with dignity even during incarceration.
10. As an upshot, petitioner shall be released on or before 01.11.2025 and shall surrender accordingly within a period of four weeks effective from the date on which he is released subject to furnishing his personal bonds for an



amount of Rs. 10,000/- and surety of equivalent amount to the satisfaction of the jurisdictional Magistrate/ Duty Magistrate, as the case may be.

ARUN MONGA, J

OCTOBER 9, 2025

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