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

+ **W.P.(CRL) 3709/2025**

AMIT SHUKLA

.....Petitioner

Through: Mr. Siddharth Yadav, Mr. Anmol
Pandey, Ms. Jyoti Yadav, Mr. Nitin
Yadav and Mr. Vikas Deep,
Advocates

versus

STATE (NCT OF DELHI)

.....Respondent

Through: Mr. Amol Sinha, ASC with Mr.
Ashvini Kumar, Mr. Kshitiz Garg
and Mr. Anshul Sharma,
Advocates.
SI Mahendra Yadav, PS-Vasant
Vihar.

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

19.02.2026

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1. By virtue of the present petition under *Article 226* of the Constitution of India read with *Section 528* of the Bharatiya Nagarik Suraksha Sanhita, 2023 (**BNSS**), the petitioner seeks issuance of a Writ in the nature of Certiorari quashing order bearing No.F.18/88/2018/HG/PRISONS/3207-10 dated 28.10.2025, passed by the respondent and for issuance of Writ in the nature of Mandamus granting parole for a period of *ninety days* in FIR No.69/2009 registered under *Sections 364/302/201/394/468/471/482/34* of the Indian Penal Code, 1860 (**IPC**) PS.: Vasant Vihar, Delhi.



2. At the outset, the learned counsel for the petitioner submits that the petitioner has undergone surgery for his left shoulder and has been advised surgery for his right shoulder as well. He submits that the petitioner has been advised to undergo physiotherapy for the healing of his left shoulder, however, since he did not get permission, he is having persistent pain as also the movement of his left hand is restricted as he is not able to lift the same beyond a point. Learned counsel for the petitioner, based thereon, submits that it would be in the interest of justice, if the petitioner is released on parole for addressing his physical condition.

3. *Per contra*, learned ASC for the State, whilst relying upon the document(s) annexed with the Status Report dated 03.12.2025, submits that since the petitioner has been punished as many as fifty-two times, there is no reason for granting parole to the petitioner.

4. Regardless of the above, in view of the overall factual matrix involved, particularly, since the petitioner is in dire need of medical assistance as also on humanitarian grounds, and particularly since after being giving the punishment on 18.11.2023, there has only been a solitary instance on 04.11.2025, the present is one under special circumstances, for releasing the petitioner on parole to enable him to get the necessary medical assistance which is essential for his physical as also his mental well-being.

5. Accordingly, the petitioner, convicted in FIR No.69/2009 registered under *Sections 364/302/201/394/468/471/482/34* of the IPC registered at PS.: Vasant Vihar, Delhi is released on parole for a period of *four weeks* from the date of his release on parole, subject to him furnishing a personal bond in the sum of Rs.10,000/- (*Rupees Ten Thousand Only*) with one



surety of the like amount by any family member/ friend having no criminal case pending against them, and also subject to the satisfaction of the Jail Superintendent, and further subject to the following conditions:-

- i. During the period the petitioner remains out on parole, the petitioner shall report to the Station House Officer (**SHO**), PS.: Vasant Vihar, Delhi on every Saturday.
 - ii. The petitioner shall also provide the SHO, PS.: Vasant Vihar, Delhi, a mobile/ telephone number which shall be kept in working condition at all times and he shall not switch off or change the mobile number without prior intimation to the SHO concerned and the mobile location be kept 'on' at all times.
 - iii. The petitioner is directed to surrender before the Jail Authorities on the date of expiry of the period of parole on or before 04:00 P.M.
6. The present petition is allowed and disposed of in the aforesaid terms.
7. Copy of the present order be sent to the concerned Jail Superintendent for information and necessary compliance *forthwith*.

SAURABH BANERJEE, J

FEBRUARY 19, 2026
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