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

+ W.P.(CRL) 3912/2025

MOHD. SAYEED

.....Petitioner

Through: Ms. Priyal Bhardwaj and Advocate
Chetan Bhardwaj

versus

STATE GNCT OF DELHI

.....Respondent

Through: Mr. Aman Usman APP for the State.

CORAM:

HON'BLE MR. JUSTICE TEJAS KARIA

ORDER

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22.06.2026

CRL.M.A. 18190/2026

1. Exemption is allowed, subject to all just exceptions.
2. The Application stands disposed of.

CRL.M.A. 18189/2026

3. This is an Application filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking extension of Parole of the Petitioner in FIR No. 658/1994 lodged at Police Station Connaught Place under Sections 364 / 364-A / 365 / 384 / 34 read with Sections 120B / 121 / 122 / 124A of the Indian Penal Code, 1860 (“**IPC**”) and Section 3(2)(1) of the Terrorist and Disruptive Activities (Prevention) Act, 1987 (“**TADA**”) till final disposal of the present Writ Petition.
4. The Petitioner was granted Parole for a period of four weeks by this Court *vide* order dated 22.05.2026 in W.P. (Crl.) 633/2026. The aforesaid liberty granted by this Court is expiring on 24.06.2026 and the Petitioner is seeking a Parole until the final disposal of the present Writ Petition.
5. Learned Counsel for the Petitioner submitted that the Petitioner is about 70 years of age and is suffering from age-related diseases. The Petitioner has undergone actual custody for a period of more than 30 years 4



months and has earned a remission of about 1 year and 7 months. The Petitioner has been previously released on Parole on 20 occasions, and he has never misused the liberty granted and always surrendered timely. His conduct in prison has always been outstanding, and he is not involved in any other case.

6. Learned APP for the State submits that the Petitioner's sentence is for a very heinous offence under TADA, the Parole granted *vide* order dated 22.05.2026 was for a period of four weeks only and the Petitioner cannot be released prematurely until the disposal of the present Writ Petition. Further, this Court does not have the power to direct premature release of a convict and such power vests with the Sentence Review Board ("**SRB**") only.

7. The present Writ Petition has been instituted by the Petitioner seeking review of the Minutes of Meeting dated 30.08.2024 and 18.09.2024 passed by the SRB, whereby the reliefs sought by the Petitioner for premature release were declined. The Petitioner now seeks extension of his Parole until the disposal of the present Writ Petition, which, in effect, would amount to granting the substantive relief sought in the Writ Petition and would render the same infructuous. Such relief cannot be granted, as it would be tantamount to permitting indirectly what cannot be permitted directly.

8. The Petitioner was released on Parole *vide* order dated 22.05.2026 for a period of four weeks on humanitarian grounds to celebrate festival of Eid with his family, however, the Petitioner cannot rely on the aforesaid order to seek an extension of Parole until the disposal of the Writ Petition.

9. In fact, one of the conditions for granting the Parole in the order dated 22.05.2026 is that the Petitioner would surrender upon expiry of the term of Parole. Therefore, in the facts and circumstances of the present case, the Parole cannot be continued endlessly merely on the ground that the



Petitioner is of old age and has been imprisoned for a period of 30 years. This would be contrary to the scheme for grant of Furlough and Parole. The grant of Parole is a privilege and not a right to be extended in routine manner.

10. For the aforesaid reasons, the Application stands dismissed. The Petitioner is directed to surrender in terms of order dated 22.05.2026 passed by this Court in in W.P. (Crl.) 633/2026.

11. Needless to state that the present Application has been decided without going into the merits of the present Writ Petition and all rights and contentions of the Parties are left open.

TEJAS KARIA, J
(VACATION JUDGE)

JUNE 22, 2026
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