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2026:CGHC:24592-DB

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

WPCR No. 309 of 2026

Shivcharan Lahre S/o Jagataram Lahre Aged About 34 Years R/o. Village Birra, P O Birra, P S Birra, Tahsil Bamhnindeeh, District Janjgir - Champa C G (Presently Confined In Central Jail, Bilaspur C.G.)

... Petitioner(s)

versus

1 - The State Of Chhattisgarh Through Its Principle Secretary, Department Of Home (Jail), Mahanadi Bhavan, Mantralaya, Naya Raipur, District Raipur (C.G.)

2 - The Jail And Correctional Services Chhattisgarh The Director General Prisons, Jail Road, Raipur, District Raipur (C.G.)

3 - The District Magistrate, Janjgir-Champa, District Janjgir-Champa (C.G.)

4 - The Jail Superintendent, Central Jail Bilaspur, District Bilaspur (C.G.)

5 - The Superintendent Of Police Janjgir - Champa, District Janjgir - Champa (C.G.)

... Respondent(s)

For Petitioner(s) : Mr. Ankit Kumar Shrivastava, Advocate

For Respondent(s) : Mr. S.S. Baghel., Government Advocate

Hon'ble Shri Ramesh Sinha, Chief Justice

Hon'ble Shri Ravindra Kumar Agrawal, Judge

Judgment on Board

Per Ramesh Sinha, Chief Justice

18.06.2026

1. Heard Mr. Ankit Kumar Shrivastava, learned counsel for the petitioner.
Also heard Mr. S.S. Baghel, learned Government Advocate, appearing for the State/respondents.
2. By way of this petition, the petitioner has prayed for following relief:-

“The present Petitioner therefore, prays that this Hon'ble Court may be pleased to allow this Petition, call for the entire-records relating to the Petitioner's parole application from the office of Respondent No. 1 (Collector and District Magistrate, District Janjgir-Champa CG). Quash / Set-Aside the impugned Order Dt. 16.03.2026 passed by the learned Collector and District Magistrate, District Janjgir-Champa CG (Annexure P/1). Direct the respondents to release the Petitioner on temporary (ordinary) parole for a period of 30 days (or such period as this Hon'ble Court deems fit) on usual terms and conditions, including furnishing of sureties and Pass any other order or direction as this Hon'ble Court may consider fit in the interest of justice.”

3. Learned counsel for the petitioner submits that the petitioner stands convicted under Section 302 IPC in Sessions Case No. 09/2021 by the learned Sessions Court, Janjgir-Champa (C.G.) vide judgment dated 06.08.2021 and is undergoing sentence of life imprisonment with fine of Rs. 1,000/- and default stipulation of

one month RI. Further, against the said conviction, Criminal Appeal No. CRA/895/2021 (Shivcharan Lahre v. State of Chhattisgarh) is pending consideration before this Court since 23.08.2021. During incarceration, the petitioner applied for temporary/ordinary parole on 27.01.2025 which was duly processed and forwarded along with all requisite documents including jail conduct report, police verification report and supporting certificates, however, despite repeated correspondence including letters dated 11.04.2025 and 22.08.2025 issued by the Superintendent, Central Jail, Bilaspur, the competent authority ultimately rejected the same vide order dated 16.03.2026 passed by the Collector and District Magistrate, Janjgir-Champa (C.G.), thereby necessitating the present petition for judicial review of the impugned rejection being arbitrary, non-speaking and contrary to the applicable parole rules and settled principles governing grant of temporary release.

4. On the other hand, learned State counsel submits that the petitioner, a life convict in Crime No. 575/129 under Section 302 IPC, presently confined in Central Jail, Bilaspur, had applied for temporary parole to meet family members, upon which due reports were called from the Superintendent of Police, Janjgir-Champa and the Executive Magistrate. Further, as per jail report dated 05.03.2025, the petitioner has undergone approximately 05 years 08 months of sentence and his jail conduct has been reported to be normal, however, as per police verification report

dated 23.05.2025, although the proposed sureties and village authorities have expressed no objection, the Station House Officer has raised an apprehension that the petitioner may intimidate the victim party and may cause breach of peace, on the basis of which the Superintendent of Police has not recommended grant of parole. Considering the said police report and the seriousness of the offence, the competent authority, exercising powers under the Chhattisgarh Prisoners (Release on Parole) Rules, 1989 and Section 31-K thereof, has concluded that release of the petitioner on temporary parole is not appropriate, and accordingly by order dated 16.03.2026, the application for temporary release has been rejected.

5. We have heard learned counsel for the parties and perused the impugned order as also the material available on record with utmost circumspection.
6. Perusal of the impugned order dated 16.03.2026 reveals that the petitioner's application for grant of temporary parole has been rejected on consideration of the relevant police verification report dated 23.05.2025, wherein although the jail conduct of the petitioner has been reported to be normal and the proposed sureties as well as village authorities have raised no objection to his release, the Station House Officer has expressed an apprehension regarding likelihood of intimidation of the victim side and potential breach of peace in the locality, on the basis of which the Superintendent of Police has not recommended grant of

parole.

7. Considering the material placed on record, including the jail conduct report as well as the adverse opinion expressed by the police authorities regarding possible law-and-order implications, this Court is of the view that the competent authority has exercised its discretion on relevant considerations in accordance with the applicable rules governing grant of temporary release. The apprehension recorded by the police authorities cannot be termed as wholly irrelevant so as to warrant interference in exercise of writ jurisdiction, particularly when grant of parole is a matter of discretion and not of right.
8. In such circumstances, no ground is made out for interference with the impugned order dated 16.03.2026. Consequently, the writ petition stands **dismissed**.
9. The criminal appeal of the appellant i.e., CRA No. 895/2021 be listed before the appropriate Bench as per the roaster on 02.07.2026.
10. Dr. Sourabh Pande, learned Deputy Advocate General, appeared after passing of the order and tendered an apology for his delayed appearance. He submitted that he was travelling from Raipur and, therefore, could not reach the Court in time. His apology is taken on record.

Sd/-
(Ravindra Kumar Agrawal)
Judge

Sd/-
(Ramesh Sinha)
Chief Justice