



CGHC010268152026

2026:CGHC:31880-DB

NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****W.P(Cr.) No.412 of 2026**

Roshan @ Vikkey Patel S/o Shri Dhanna Lal Patel Aged About 60 Years R/o Village- Mathaldabri, P.S. Dongargaon, District- Rajnandgaon Chhattisgarh (He Has Preferred Instant Writ Petition Through Legal Aid Committee) **... Petitioner**

versus

1 - State Of Chhattisgarh Through Its, Principal Secretary, Department Of Home (Jail) Mahanadi Bhavan, Mantralaya, Naya Raipur, District- Raipur (CG)

2 - The Jail Superintendent Central Jail Durg, District- Durg (CG)

3 - The District Magistrate/Additional District Magistrate, District- Rajnandgaon (CG)

4 - The Superintendent Of Police Rajnandgaon District- Rajnandgaon (CG)

5 - Station House Officer Police Station Dongargaon, District- Rajnandgaon (CG) **... Respondents**

SISTLA
NEELIMA
VISHNU
PRIYA

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SISTLA NEELIMA
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Date: 2026.07.28
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For Petitioner : Mr. CK Sahu, Advocate.

For Respondents/State : Mr. Soumya Rai, Dy. G.A.

Hon'ble Shri Ramesh Sinha, Chief Justice
Hon'ble Shri Ravindra Kumar Agrawal, Judge
Order on Board

27.07.2026

1. Heard Mr. CK Sahu, learned Counsel for the Petitioner. Also heard Mr. Soumya Rai, learned Deputy Government Advocate for the State/Respondents.

2. The present Petition has been filed by the Petitioner for the following reliefs:-

“10.1 To call for entire records from respondents pertaining to petitioner's leave case for kind perusal of the Hon'ble High Court.

10.2 To quash impugned memo dated 20.03.2026 (Annexure P-1) and also to direct respondents to release petitioner on parole under the Chhattisgarh Prisoner's Leave Rules 1989.

10.3 To grant any other relief deemed fit and proper in facts and circumstances of the case.”

3. Learned counsel for the Petitioner submits that the Petitioner has completed the minimum period of imprisonment prescribed under the Chhattisgarh Prisoners' Leave Rules, 1989 and is, therefore, entitled to be released on parole. It is further submitted that the impugned order dated 20.03.2026 passed by Respondent No.3-District Magistrate, District Rajnandgaon rejecting the Petitioner's claim for parole is arbitrary and deserves to be set aside.

4. Learned State Counsel opposes the prayer made by the

learned Counsel for the Petitioner.

5. We have heard learned Counsel for the parties and perused the material available on record.

6. A perusal of the impugned order reveals that the Petitioner's request for grant of parole has been declined as the proposed surety refused to stand as surety for the Petitioner and consequently, the concerned authorities recommended that the Petitioner be not released on parole. During the course of hearing, learned Counsel for the Petitioner fairly submits that the Petitioner is presently unable to furnish the requisite sureties for his release on parole.

7. In view of the above, we are not inclined to entertain the present Writ Petition. Accordingly, the Writ Petition stands **dismissed**. However, liberty is reserved to the Petitioner to approach the competent authority by filing a fresh application, if and when he is able to arrange the requisite sureties for his release on parole.

Sd/-

(Ravindra Kumar Agrawal)
Judge

Sd/-

(Ramesh Sinha)
Chief Justice