

**IN THE HIGH COURT OF BOMBAY AT GOA**

**CRIMINAL WRIT PETITION NO. 7 OF 2018**

KUSHAL PURI, PRESENTLY AT CENTRAL  
JAIL COLVALE.,

... Petitioner

Versus

STATE OF GOA, THR. THE INSPECTOR  
GENERAL OF PRISON, PANAJI AND  
ANR.,

... Respondents

Mr. T. George John, Advocate for the petitioner.  
Mr. S. R. Rivankar, Public Prosecutor for the respondents.

Coram:- SHANTANU S. KEMKAR &  
NUTAN D. SARDESSAI, JJ.

Date:- 19th January 2018

P.C.

Parties through their counsel.

2. By filing this petition under Article 226 of the Constitution of India, the petitioner is challenging the order dated 29th December, 2017 passed by the Inspector General of Prisons whereby the petitioner's application for parole has been rejected on the ground that the release of the petitioner has not been recommended by the police authorities on the ground that the petitioner is from Nepal and there is every possibility that while on parole the petitioner may indulge in illegal activities of Narcotic Substance Act, if he is released on parole and may

disturb the tranquility in the locality.

3. The learned counsel for the petitioner submits that the petitioner is ready and willing to give local surety and also appropriate undertaking that he will not indulge himself in any illegal activities under the NDPS Act.

4. Having considered the submissions made by the learned counsel for the parties and having gone through the impugned order, we are of the view that the petitioner's application deserves to be reconsidered by the authority afresh on merits.

5. As a result, we set aside the impugned order dated 29th December, 2017 and direct the Inspector General of Prisons to reconsider the petitioner's application afresh and take appropriate decision in accordance with law within three weeks from the date of the receipt of copy of this order.

6. The petition is disposed of accordingly.

NUTAN D. SARDESSAI, J.

SHANTANU S. KEMKAR, J.

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