

HIGH COURT OF CHHATTISGARH, BILASPURWrit Petition (Cr) No.980 of 2019

Pawan Singh Thakur @ Lala Thakur S/o Raju Singh Thakur, Convict No.8095/121, Aged about 36 years, Lodged in Raipur Central Jail, Raipur, Distt. Raipur, Chhattisgarh

----- Petitioners

Versus

1. State of Chhattisgarh Through Secretary, Department of Home, Mantralaya, Naya Raipur, District Raipur (Chhattisgarh)
2. Jail Superintendent, Central Jail Raipur, District Raipur, Chhattisgarh
3. Superintendent of Police, Raipur, Distt. Raipur (CG)
4. Collector, Raipur, Distt. Raipur (CG)
5. Additional District Magistrate, Raipur, Distt. Raipur (CG)
6. Thana In-charge, Police Station-Mandir Hasaud, Distt. Raipur (CG)

----- Respondents

For Petitioner	:	Ms Rajni Soren, Advocate
For Respondents	:	Mr.Matin Siddiqui, Dy.A.G.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

11/12/2019

1. The petitioner's application for leave under Chhattisgarh Prisoner's Leave Rules, 1989 has been rejected by respondent No.5/Additional District Magistrate, Raipur on 15.5.2018, against which, this writ petition has been filed stating inter-alia that leave application has been declined on wholly impermissible and untenable ground.
2. Mr.Matin Siddiqui, learned Deputy Advocate General for the respondents/State, on instructions, would submit that the District Magistrate, Raipur would reconsider

the case of the petitioner for grant of leave in the light of judgment of this Court in WP (Cr) No.29 of 2016 (Rakesh Shende v. State of Chhattisgarh and others), decided on 18.11.2016 in accordance with law within 15 days from today.

3. In view of above, the impugned order dated 15.5.2018 passed by respondent NO.5/Additional District Magistrate, Raipur is set aside. The liberty is reserved in favour of the District Magistrate, Raipur to consider the case of the petitioner afresh within 15 days from today.
4. The writ petition is allowed to the extent indicated hereinabove. NO cost(s).

Certified copy today.

Sd/-

(Sanjay K. Agrawal)
Judge

B/-