

HIGH COURT OF CHHATTISGARH, BILASPUR

WPCR No. 1162 of 2019

Jalandhar Gupta S/o Mahadeo Gupta, Aged About 43 Years R/o Vill. Bhagora, Kenanibahal Thana Tamnar, District Raigarh Chhattisgarh Through Brindavati W/o Jalandhar Gupta Aged About 40 Years, R/o Vill. Bhagora, Kenanibahal Thana Tamnar, District Raigarh Chhattisgarh

---- Petitioner

Versus

1. State Of Chhattisgarh Through Its Secretary, Department Of Home, (Jail) Mantralaya, Mahanadi Bhawan, Atal Nagar, District Raipur Chhattisgarh,
2. The Director General Prisons Jail And Correctional Services Chhattisgarh, The Jail Road, Raipur, District Raipur Chhattisgarh
3. The Collector-Cum-District Magistrate Raigarh, District Raigarh Chhattisgarh
4. Superintendent Of Police Raigarh, District Raigarh Chhattisgarh
5. The Station House Officer, Police Station Tamnar, District Raigarh Chhattisgarh
6. The Jail Superintendent, Central Jail, Bilaspur, District Bilaspur Chhattisgarh

---- Respondents

For Ptitioner	:	Mr. Sanjay Agrawal, Advocate
For State/ Respondents	:	Mr. R.K. Bhagat, Deputy Government Advocate

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

13/12/2019

1. The petitioner's application for grant of parole (leave) under Chhattisgarh Prisoner's Leave Rules, 1989 has been rejected by Respondent No. 3/ Collector-cum-District Magistrate, Raigarh on 02.02.2019, 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. R.K. Bhagat, learned Deputy Government Advocate for the respondents/State, on instructions, would submit that the District Magistrate,

Raigarh would reconsider the case of the petitioner for grant of leave in the light of judgment of this Court in the matter of ***Rakesh Shende v. State of Chhattisgarh and others*** passed in WPCR No. 29/2016 and also in the light of circular issued by Chief Secretary of the State in accordance with law within 15 days from today.

3. In view of above, the impugned order dated 02.02.2019 passed by Respondent No. 3/ District Magistrate, Raigarh is quashed. The liberty is reserved in favour of the District Magistrate, Raigarh to reconsider 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).

Sd/-

(Sanjay K. Agrawal)
Judge