

HIGH COURT OF CHHATTISGARH, BILASPUR**Writ Petition (Cr.) No. 163 of 2020**

Smt. Kanti Bai, W/o Shri Jageshwar Sao, Aged About- 56 years, R/o Village – Tarda, Post – Kondapali, Police Station & Tahsil – Pusour, District – Raigarh (C.G.)

---- Petitioner

Versus

1. State of Chhattisgarh, Through :- the Secretary, Home (Jail) Department, Mantralaya, Mahanadi Bhawan, Raipur (C.G.)
2. The Director General of Prisons and Correctional Services Chhattisgarh, Head Quarter – Prisons and Correctional Services Chhattisgarh, Raipur (C.G.)
3. The Collector-cum-District Magistrate Raigarh (C.G.)
4. The Superintendent of Police Raigarh C.G.)
5. The Jail Superintendent, Central Jail Bilaspur (C.G.)

----Respondents

For Applicant : Mr. Rishi Rahul Soni, Advocate.
 For Respondents/State : Mr. Mateen Siddiqui, Dy. Advocate General.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

14/07/2020

- (1) Proceedings of this matter have been taken up through video conferencing.
- (2) By way of this writ petition, the petitioner has questioned the order dated 17.01.2020 (Annexure P-1) issued by respondent No. 3 by which the application filed by the petitioner for grant of leave (parole) has been rejected.
- (3) Pursuant to notice issued by this Court, affidavit has been filed by the

Collector, Raigarh in which in paragraph 7 it has been held as under :-

“7. That, the Deponent is willing to pass afresh order as per the mandate issued in Writ Petition (Cr.) No. 29 / 2016 in the matter of “Rakesh Shende Vs. State of Chhattisgarh & Others”, decided on 18.11.2016 and also the provisions contained in the Chhattisgarh Prisoners Leave Rules, 1989 within stipulated time.”

(4) In view of affidavit filed by the Collector, Raigarh, the impugned order is set aside. The Collector, Raigarh is directed to consider the case of the petitioner afresh for grant of leave (parole) within 15 days from today.

(5) The writ petition is allowed to the extent indicated hereinabove. No cost(s).

Sd/-
(Sanjay K. Agrawal)
Judge

D/-

