

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPCR No. 317 of 2020**

Sugni Pal S/o Late Lakhan Pal, Aged about 40 years, Prisoner No. 132/54, R/o Village Navadih P.O. Tatapani, P.S. Ramanujganj, District Balrampur Ramanujganj, Chhattisgarh.

---Petitioner**Versus**

- 1.State of Chhattisgarh through the Secretary, Home Department, Mantralaya Mahanadi Bhawan, New Raipur, Chhattisgarh.
- 2.Collector/District Magistrate Balrampur Ramanujganj, District Balrampur Ramanujganj, Chhattisgarh.
- 3.Additional Collector/Additional District Magistrate Balrampur Ramanujganj, District Balrampur Ramanujganj, Chhattisgarh.
- 4.Superintendent of Police, Balrampur Ramanujganj, District Balrampur Ramanujganj, Chhattisgarh.
- 5.Jail Superintendent Central Jail Ambikapur, District Surguja, Chhattisgarh.

--- Respondents

For Petitioner :- Mr. Nishikant Sinha, Advocate
 For State :- Mr. Jitendra Pali, Dy. A.G.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****27/10/2020**

1. Proceedings of this matter have been taken up for hearing through video conferencing.
2. By the impugned order, petitioner's application for grant of parole has been rejected.
3. Learned counsel for the petitioner would submit that while passing the impugned order, petitioner's application for grant of parole has not been taken into consideration and it has been rejected without even assigning any reason.
4. Learned State counsel would submit that though no reason has been assigned in the impugned order, but petitioner's application for grant of parole has been rejected taking the view that his release would be detrimental to public interest.
5. I have heard learned counsel for the parties and perused the record.
6. A careful perusal of the impugned order would show that though petitioner's application for grant of parole is said to have been rejected in view of public interest, but no reason has been assigned as such and the decision rendered by this Court in **Rakesh Shende v. State of Chhattisgarh**¹ has also not been followed while

¹ WPCR No. 29/2016 decided on 18/11/2016

passing the impugned order, as such, requirement of law has also not been adhered to.

7. Consequently, the impugned order rejecting petitioner's application for grant of parole is hereby set aside and District Magistrate, Balrampur Ramanujganj is directed to consider and decide petitioner's application for grant of parole afresh in light of the decision rendered by this Court in Rakesh Shende (supra) within ten days from the date of receipt of a copy of this order.

8. Accordingly, this writ petition stands disposed of. No cost(s).

9. A copy of this order be sent to the District Magistrate, Balrampur Ramanujganj by e-mail/fax for needful and compliance.

Sd/-
(Sanjay K. Agrawal)
Judge

Harneet