

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPCR No. 552 of 2020**

- Ritesh Gupta S/o Nareshchand Gupta Aged About 35 Years Prisoner No 69/51 R/o Tatapani (Navadih) Post Tatapani P.S. Ramanujganj District Balrampur Ramanujganj (Chhattisgarh) Through Nareshchand Gupta S/o Parasnath Gupta Aged 57 Years, R/o Tatapani (Navadih) Post 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.Superintendent of Police, Balrampur District Balrampur Ramanujganj Chhattisgarh.
- 4.Jail Superintendent Central Jail Ambikapur District Surguja Chhattisgarh.

----- Respondents

For Petitioner :- Mr. Shakti Raj Sinha, Advocate.
For State/Respondent :- Mr. Ravi Bhagat, Dy. G.A.

Hon'ble Shri Justice Sanjay K. Agrawal
Order on Board

14/12/2020

1. Heard.

2. Learned counsel for the petitioner would submit that the petitioner's application for grant of parole has been rejected by the District Magistrate, Balrampur Ramanujganj without assigning any reason and also decision rendered by this Hon'ble Court in the case of ***Rakesh Shende vs. State of C.G.*** in ***WPCR No.29/2016*** decided on ***18.11.2016*** and ***Santhram Sinha vs State of C.G.*** in ***WPCR No.182/2015*** decided on ***07.01.2016*** has not been considered.

3. Learned State counsel would submit that the liberty is granted to pass a fresh order in accordance with law.

4. Be that as it may, without assigning any reason and also without considering the decision rendered by this Hon'ble Court in the case of ***Rakesh Shende (supra)*** and ***Santhram Sinha (supra)***, the impugned order

is set aside and matter is remanded to the concerned District Magistrate for considering the petitioner's application afresh in the light of the decision rendered by this Hon'ble Court in the case of Rakesh Shende (supra) and Santhram Sinha (supra) within 15 days from the date of receipt of the copy of this order.

5. With the aforesaid direction/observation the present writ petition stands disposed of.

6. Certified copy as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

Ankit