

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPCR No. 573 of 2020**

Amita Bada @ Sarita D/o Vishun Bada, Aged 42 years, Prisoner Number : 79/55 R/o Karanji Jhingadand, P.S. Rajpur, District Balrampur, Ramanujganj, Chhattisgarh.

Through :-

Ranjit Bada S/o Purnayi, Aged 37 years, Caste Uraon R/o Karanji, P.S. Rajpur, 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 Surguja, Ambikapur, District Surguja, Chhattisgarh.
- 3.Superintendent of Police, Surguja Ambikapur, District Surguja, Chhattisgarh.
- 4.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

23/11/2020

1. Mr. Nishikant Sinha, learned counsel for the petitioner, would submit that though the petitioner is languishing in jail for the last ten years, but she has not been allowed to avail the benefit of grant of leave on parole citing the reason that she could not name two sureties in support of her application, as such, she is not entitled to be released on parole, which is absolutely bad in law. He would rely upon Rules 4 and 6 of the Chhattisgarh Prisoners' Leaves Rules, 1989 to buttress his contention.

2. Heard learned counsel for the parties and perused the record.

3. Be that as it may, petitioner is at liberty to file an application for grant of leave on parole before the Jail Superintendent who will forward the same to the District Magistrate of the concerned District and even if the petitioner is unable to mention two sureties, then also her application will be forwarded and decided by the District Magistrate in accordance with law. Since, the petitioner has been languishing in jail for the last ten years, her application will be decided by the District Magistrate within 15 days from the date of filing of the said application.

4. With the aforesaid direction, this writ petition stands disposed of.

Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

Harneet