

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**WPCR No. 626 of 2020**

- Ramanarayan Kushwaha S/o Dharamjeet Kushwaha
Aged About 45 Years R/o Village Banja, P.S.
Surajpur, District Surajpur (Chhattisgarh)
Through- Rajendra Prasad Kushwaha, S/o
Harinandan Prasad Kushwaha, Aged 47 Years,
R/o Village Sawarwa Patna, District Koriya
(Chhattisgarh).

---- Petitioner**Versus**

- 1.State of Chhattisgarh Through The Secretary,
Home Department, Mantralaya Mahanadi Bhawan,
New Raipur (Chhattisgarh).
- 2.Collector / District Magistrate Surajpur,
District Surajpur (Chhattisgarh).
- 3.Superintendent of Police, Surajpur, District
Surajpur (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, Surajpur 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