

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**WPCR No. 644 of 2020**

- Santosh Kumar S/o Sanwatram Convict No. 7245/119, Aged About 34 Years, Lodged In Raipur Central Jail, Raipur, District Raipur Chhattisgarh.

**----- Petitioner**

**Versus**

- 1.State of Chhattisgarh Through The Secretary, Department of Home, Mantralaya, Naya Raipur District Raipur Chhattisgarh.
- 2.Jail Superintendent, Central Jail Raipur, District Raipur Chhattisgarh.
- 3.Collector, Dhamtari, District Dhamtari Chhattisgarh.
- 4.Additonal Collector, Dhamtari District Dhamtari, Chhattisgarh.
- 5.Superintendent of Police, Dhamtari, District Dhamtari, Chhattisgarh.

**----- Respondents**

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For Petitioner :- Ms. Rajni Soren, Advocate.  
For State/Respondent :- Mr. Ravi Bhagat, Dy. G.A.

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

**16/12/2020**

1. Heard

2. Learned counsel for the petitioner would submit that the petitioner's application for grant of parole has been rejected by the concerned District Magistrate 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*** have not been considered, though it was earlier remanded by this Court to the concerned District Magistrate.

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 10 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