

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

WPCR No. 662 of 2020

- Mosu @ Suresh S/o Shri Devo Baghel, Aged About 27 Years R/o Village Nayamunda, Police Station Bodhghat, District Bastar Chhattisgarh.

----- Petitioner

Versus

1. State of Chhattisgarh Through The Principal Secretary, Department Of Home (Jail), Mantralaya, Mahanadi Bhawan, Atal Nagar, Nawa Raipur, District Raipur Chhattisgarh.
2. The Jail & Correctional Services Chhattisgarh, The Director General Prisoner, Jail Road, Raipur, District Raipur Chhattisgarh.
3. Jail Superintendent, Central Jail, Jagdalpur, District Bastar Chhattisgarh.
4. State of Chhattisgarh Through The Collector/ District Jagdalpur, District Bastar Chhattisgarh.
5. Superintendent of Police, Jagdalpur, District Bastar Chhattisgarh.

----- Respondents

For Petitioner :- Ms. Smriti Shrivastava, Adv.
For State/Respondent H.A. Ahluwalia, Dy. A.G.

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

17/12/2020

1. Heard

2. Learned counsel for the petitioner would submit that the petitioner's application for grant of leave/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.

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