

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPCR No. 225 of 2021**

Bachhraj Gond @ Bachchhraj Gond S/o Shri Ramdhani Gond, Aged about 30 years, R/o Village Kadiya Mohali Tikra, Post Kerta Manikpur, Police Station Chalgali, Distt. Balrampur-Ramanujganj, Chhattisgarh.

---Petitioner

Versus

- 1.State of Chhattisgarh, through The Secretary, Home (Jail) Department, Mantralaya, Mahanadi Bhawan, Raipur, Chhattisgarh.
- 2.The Director General, Prisons and Correctional Services Chhattisgarh, Head Quarter – Prisons and Correctional Services Chhattisgarh, Raipur, Chhattisgarh.
- 3.The Collector – cum – District Magistrate, Balrampur Ramaunjanj, Chhattisgarh.
- 4.The Superintendent of Police Balrampur-Ramanujganj, Chhattisgarh.
- 5.The Jail Superintendent, Central Jail Ambikapur, Distt. Sarguja, Chhattisgarh.

--- Respondents

For Petitioner :- Mr. R.R. Soni, Advocate
For State :- Mr. Ravi Bhagat, G.A.

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

09/04/2021

1. Proceedings of this matter have been taken up through video conferencing.
2. Petitioner's application for grant of parole has been rejected by the District Magistrate, Balrampur Ramanujganj vide impugned order dated 06/10/2020 (Annexure P/1).
3. Learned State counsel submits that counter-affidavit has been filed and learned District Magistrate is ready and willing to consider petitioner's application afresh in light of the decision rendered by this Court in **Rakesh Shende v. State of Chhattisgarh**¹.
4. Be that as it may, the impugned order is set aside in view of the statement made by learned State counsel and the affidavit filed by the State, learned District Magistrate Balrampur, Ramanujganj is directed to consider petitioner's application for grant of leave on parole afresh and pass and order within 10 days from today in light of the decision passed by this Court in **Rakesh Shende** (supra).
5. With the aforesaid direction, this writ petition stands disposed of. No cost(s).

¹ WPCR No. 29/2016 decided on 18/11/2016

6.A copy of this order be sent to the District Magistrate, Balrampur Ramanujganj by e-mail/fax for needful and compliance.

Sd/-
(Sanjay K. Agrawal)
Judge

Harneet