HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

D.B. Criminal Writ Petition No. 2691/2024

Mansharam, S/o Lakhaji, R/o Wahpuli Jaydara, Police Station Rohida, Dist. Sirohi (Raj.) (Presently Lodged At Central Jail, Jodhpur)

----Petitioner

Versus

1. State Of Rajasthan, Through Secretary, Jaipur.
2. Collector, Sirohi.
3. Supdt. Central Jail, Jodhpur.

----Respondents

For Petitioner(s)	:	By post
Amicus Curiae	:	Ms. Shreshta Mathur
For Respondent(s)	:	Mr. N.K. Gurjar, AAG assisted by Mr. Ashutosh Sharma, AAAG

HON'BLE DR. JUSTICE PUSHPENDRA SINGH BHATI
HON'BLE MR. JUSTICE CHANDRA PRAKASH SHRIMALI

Order

06/02/2025

1. This parole petition has been filed on behalf of the petitioner aggrieved with the condition imposed by the District Parole Advisory Committee, Sirohi vide order dated 28.10.2024 for furnishing two sureties of Rs.50,000/- each with a personal bond of Rs.50,000/- for the purpose of availing 40 days fourth parole.

2. The petitioner was convicted for the offence under Section 302 of IPC and Section 4/25 of Arms Act sentenced for life imprisonment by the learned Additional District Judge No.2, Abu Road vide judgment dated 30.03.2016. He has already undergone the sentence of 12 years, 9 months and 18 days. The petitioner was earlier granted three paroles for 20, 30 and 40 days, which were successfully completed by him, and now, he has again granted the benefit of fourth parole by the District Parole Advisory

Committee, Sirohi vide order dated 28.10.2024 for the period of 40 days.

3. Learned counsel appearing for the petitioner contended that the petitioner belongs to lower echelon of the society and thus he is not in a position to furnish two sureties of Rs.50,000/- each as ordered and on account of such inability, the petitioner is being deprived of the parole and, therefore, he may be granted 40 days' parole on furnishing a personal bond in sum of Rs.50,000/-.

4. Though the prayer is opposed by the learned AAG; however, in the factual report, it is indicated that the family of the petitioner are doing farming for their livelihood and their economic status is not good.

5. Looking to the fact that the petitioner was earlier granted benefit of parole three times, which were successfully completed by him, and the fourth parole has also been granted by the District Parole Advisory Committee, Sirohi vide order dated 28.10.2024 as well as the status report submitted by the learned AAG along with the reply, reflects poor economic status of the family of the petitioner, this Court deems it appropriate to relax the condition of furnishing two sureties of Rs.50,000/- each as imposed vide order dated 28.10.2024.

6. Having regard to the facts and circumstances of the case and after going through the record, this parole petition is allowed and the Superintendent, Central Jail, Jodhpur is directed to release the petitioner - Mansharam, S/o Lakhaji on 40 day' parole on furnishing a personal bond of Rs.50,000/- only. The condition of furnishing two sureties of Rs.50,000/- each is hereby relaxed.

7. All the other conditions imposed vide order dated 28.10.2024 shall remain the same.

(CHANDRA PRAKASH SHRIMALI),J **(DR.PUSHPENDRA SINGH BHATI),J**

27-minki/-