HC-KAR

NC: 2026:KHC:22784
WP No. 12006 of 2026

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF APRIL, 2026

BEFORE

THE HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

WRIT PETITION NO. 12006 OF 2026 (GM-POLICE)

BETWEEN:

SRI. NIRANJAN H K
S/O KRISHNAPPA,
AGED ABOUT 37 YEARS,
[CTP NO.13937]
CURRENTLY SERVING HIS SENTENCE
IN CENTRAL PRISON, BENGALURU

…PETITIONER

(BY SRI. KARTHIK G BILLAVA, ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
REPRESENTED BY ITS PRINCIPAL SECRETARY,
DEPARTMENT OF HOME, VIDHANA SOUDHA,
BENGALURU - 560 001.

2. THE CHIEF SUPERINTENDENT OF PRISON
CENTRAL PRISON, PARAPPANA AGRAHARA,
ELECTRONIC CITY POST,
BENGALURU - 560 100.

3. THE DIRECTOR GENERAL
PRISONS AND CORRECTIONAL
SERVICES,
KARNATAKA STATE
ADDRESSNO.4, SHESHADRI ROAD,
GANDHINAGAR,
BENGALURU - 560 009.

Digitally signed by CHAITHRA A
Location: HIGH COURT OF KARNATAKA

4. THE POLICE COMMISSIONER
ADDRESS NO.1, BHAGWAN MAHAVEER ROAD,
BENGALURU - 560 001.

5. THE INSPECTOR OF POLICE
SOLADEVANAHALLI POLICE STATION
ADDRESS: NEAR BUS STOP,
DEFENCE COLONY, SOLADEVANAHALLI,
BENGALURU - 560 107.

…RESPONDENTS

(BY SRI. K P YOGANNA, AGA)

THIS W.P. IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO QUASH THE IMPUGNED ENDORSEMENT DATED 02.01.2026 ISSUED BY THE RESPONDENT NO.2 IN LETTER NO. BCP/J3/287/2026 VIDE ANNEXURE-C AND ETC.,

THIS PETITION, COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE SACHIN SHANKAR MAGADUM

ORAL ORDER

In the captioned petition, the petitioner who is serving conviction in Central Prison, Bengaluru is seeking a mandamus to direct the respondent authorities to grant parole.

2. Heard learned counsel for the petitioner and learned AGA. Perused the records.

3. Petitioner is undergoing sentence pursuant to order of conviction passed in S.C.No.1068/2018 for the offences punishable under Sections 397 and 302 of IPC. Records reveal that petitioner has undergone incarceration for a period of 7 years. The authorities have rejected the application seeking parole on the ground that petitioner has not produced the report of the concerned Commissioner of Police/Superintendent of Police.

4. The doctrine governing parole has been consistently evolved by constitutional courts to balance two competing interests on the one hand, the societal interest in ensuring safety and order, and on the other, the convict's right to dignity and reformation under Article 21 of the Constitution of India. Parole, thus, serves as a controlled and conditional liberty, which does not interrupt

the sentence but merely suspends its execution temporarily.

5. In the case on hand, it is submitted that conduct of the present petitioner during the period of incarceration has been satisfactory and free from any adverse remarks. No untoward incident is reported against him. The object of parole is to enable a convict to maintain social ties, to attend to pressing personal and family exigencies, and to facilitate reintegration into society. Therefore, it is in this backdrop, even if petitioner has not made out a case for grant of parole for want of renovation of his house, this Court cannot brush aside the principles governing the grant of parole which enables the convict and facilitates reintegration into society.

6. It is in this backdrop, this Court is of the view that appropriate conditions can always be imposed to mitigate any perceived risks including restricting the movement of the detenue directly into the Court to reach

the police at regular intervals and prohibiting any contact with victim or his family. In the totality of the circumstances, this Court is satisfied that petitioner has made out a case for grant of parole and the apprehensions expressed in the adverse report can be adequately addressed by imposing stringent conditions.

7. For the foregoing reasons, this Court proceeds to pass the following:

ORDER

(i) The Petition is ***allowed***;

(ii) The impugned endorsement dated 02.01.2026 issued by the respondent No.2 vide Annexure-C is quashed;

(iii) The respondent No.2 is directed to release the petitioner on general parole for a period of ninety (90) days from the date of his release, subject to the petitioner furnishing two sureties to the satisfaction of the competent authority;

(iv) During the period of parole, the petitioner shall maintain good conduct and shall not indulge in any criminal activity or involve himself in any offence, much less offences of a similar nature;

(v) The petitioner shall scrupulously comply with all conditions that may be imposed by the jail authorities and shall keep them informed of his whereabouts, as and when required;

(vi) The petitioner shall surrender before the jurisdictional prison authorities immediately upon expiry of the parole period, unless the same is extended by a competent authority in accordance with law;

(vii) The learned Additional Government Advocate shall forthwith communicate this order to the respondent No.2 – Chief Superintendent, Central Prison, Parappana Agrahara, Bengaluru, for immediate compliance;

(viii) The Registry is directed to communicate a copy of this order to the concerned prison authorities without delay to ensure prompt implementation.

Sd/-
(SACHIN SHANKAR MAGADUM)
JUDGE

CA
List No.: 1 Sl No.: 69