

IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR
O R D E R

D.B. Civil Writ Petition (Parole) No.386 of 2011.

Kalu Ram son of Shri Mool Chand
VERSUS
State of Rajasthan and Others

Date of Order :::: 31. 01.2011.

Hon'ble Mr. Justice Dalip Singh
Hon'ble Dr. Justice Meena V. Gomber

Mr.Lakhan Singh Tomar, Counsel for the Petitioner
Mr. J.R. Bijrania, Dy.Govt. Counsel for the respondents

By the Court :

Heard learned counsel for the petitioner as well as learned counsel for the State. Perused the record as well as the reply filed by the respondents and the annexures, along with it.

Petitioner has applied for first regular parole for 20-days. It is not in dispute that the petitioner is eligible for the grant of first regular parole for 20-days. His conduct in jail, as per the nominal roll, has been found to be satisfactory.

The case of the petitioner is that he would be spending the period of his parole with the members of his family, who are residing not at the Village Lalsot District Dausa, but at Govindpura Ropada Ward No.34, behind the Bapu Ashram, Goner Road Police Station Shividaspura District Jaipur.

The Social Welfare Officer, therefore, in his report, which has been filed as Annexure-R/4 dated 27.05.2010 has recommended the case of the petitioner after having visited the family of the petitioner and having contacted the prominent persons of the locality, including ward members, who have all recommended the case of the petitioner for release so that he can visit the

members of his family, who are residing within their jurisdiction.

As per the order of the Advisory Committee the Superintendent of Police (Gramin) Jaipur has also recommended the case of the petitioner for release on parole and the only reason given for refusing the application was that the Superintendent of Police, Dausa and the District Magistrate Dausa have not given a favourable report for release of the petitioner.

Since, as per the record, it is evident that the family of the petitioner is not residing within the jurisdiction of Police Station Lalsot in District Dausa and are residing at the present location within the jurisdiction of the Superintendent of Police (Gramin) Jaipur Police Station Shivdaspura, we are inclined to accept this petition for the grant of first regular parole for 20-days to the petitioner to visit his family at the address Govindpura Ropada, behind the Bapu Ashram, Goner Road Police Station Shivdaspura, Jaipur (Gramin) with the conditions that the petitioner shall not during his release on parole for 20-days visit the Village Dhani, Baluka Tan-Maheriya Police Station Lalsot District Dausa.

In view of the above, we are of the view that this petition deserves to be allowed.

Consequently, we allow this writ petition and direct the Superintendent, Central Jail, Jaipur to release the petitioner namely, Kalu Ram son of Shri Mool Chand by caste Meena resident of Dhani Baluka Tan Maheriya Police Station Lalsot District Dausa on 1st regular parole for a period of 20-days, which shall commence from the date of his release, upon furnishing a personal bond in a sum of Rs.50,000/- (Rupees fifty thousand only), along with two sureties of

Rs.25,000/- (Rupees twenty five thousand only) each to the satisfaction of the Superintendent, Central Jail, Jaipur, on usual terms and conditions, as determined by him. The Superintendent, Central Jail, Jaipur shall also fix a date for his surrender before the jail authorities.

The writ petition stands allowed with the aforesaid directions.

(Dr. Meena V. Gomber) J.

(Dalip Singh) J.

Ashok/