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D.B. CRIMINAL PAROLE WRIT PETITION NO. 2948/2012.
Narsingha Ram Vs. State of Rajasthan & Ors.

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Date of Order :: 30th April 2012.

HON'BLE MR JUSTICE DINESH MAHESHWARI
HON'BLE MR JUSTICE NARENDRA KUMAR JAIN-II

By post
Mr K.R. Bishnoi, Government Counsel.

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BY THE COURT:

The petitioner-convict, having been granted 40 days' parole subject to conditions of furnishing two sureties in the sum of Rs. 25,000/- each along with a personal bond in the sum of Rs. 50,000/-, has sent this letter petition with the prayer that he may be allowed to avail the benefit of parole by accepting his personal bond instead.

The petitioner submits that he has availed of the earlier two paroles respectively for 20 days and 30 days wherefor his mother arranged the requisite sureties; but his mother has since expired and his father is of old age and short of sight and there is no other person in the family who could arrange for the sureties.

The respondents have filed a reply opposing the prayer made by the petitioner with reference to Rule 7 of the Rajasthan Prisoners Release on Parole Rules, 1958. However, we are unable to find from the reply submissions any material circumstance wherefor release of the petitioner only on personal bond could be considered undesirable. After going through the history ticket of the petitioner, the learned Public Prosecutor affirms that there is as such no cause of complaint.

In the totality of the circumstances, we are of the opinion that the petitioner must not be deprived of benefit of parole, which has the object, inter alia, of bringing him in the main stream of society; and we deem it appropriate to modify the condition prescribed under the order granting parole to the petitioner regarding furnishing of sureties and bond by substituting the same with the requirement of furnishing personal bond in the sum of Rs.50,000/- only.

In view of the above, this petition is allowed to the extent and in the manner indicated above. The proceedings of the District Parole Committee, Barmer dated 19.01.2012 are modified qua the petitioner and he is ordered to be released on parole for 40 days upon his furnishing a personal bond in the sum of Rs.50,000/- to the satisfaction of the concerned Jail Superintendent.

It is made clear that we have only modified the condition regarding bond/sureties as above. Other conditions mentioned in the order granting parole shall apply.

(NARENDRA KUMAR JAIN-II),J. (DINESH MAHESHWARI),J.

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