

D.B. PAROLE PETITION NO. 2174/2014.

Gani Khan Vs. State of Rajasthan

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Date of Order :: **31st March 2014.**

HON'BLE MR. JUSTICE DINESH MAHESHWARI
HON'BLE MR. JUSTICE BANWARI LAL SHARMA

By Post.

Mr. Shiv Kumar Vyas, Government Counsel.

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BY THE COURT:

Issue notice. The learned Government Counsel Mr. Shiv Kumar Vyas appears for the respondent-State.

It appears from the submissions made in this letter petition as also the order dated 15.01.2013 passed in Parole Petition No. 13395/2012 that the petitioner-prisoner though is serving the sentence for about 12 years but misused the indulgence of parole as granted to him in the month of January 2007. He was also tried and convicted for the offence under Section 224 of the Indian Penal Code.

On 15.01.2013, this Court declined to grant indulgence to the petitioner but while putting him at liberty to move the application afresh after a period of one year.

The petitioner has submitted that he has made further prayer for grant of parole but his prayer is not being considered by the authorities concerned.

In the totality of the circumstances, we are of the view that interest of justice shall be served with directions to the concerned authorities to now consider the case of the petitioner-prisoner for grant of parole in accordance with law.

Subject to the observations and directions foregoing, this petition stands disposed of with liberty to the petitioner to take recourse to the appropriate remedies in accordance with law in case of any grievance remaining yet or arising in future.

(BANWARI LAL SHARMA),J.

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(DINESH MAHESHWARI),J.