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Deepa Ram @ Deepak Vs. State of Raj

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Court : Rajasthan Jodhpur

Decided On : Jul-14-2014

Appellant : Deepa Ram @ Deepak

Respondent : State of Raj

Judgement :

[1].IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

ORDER
D.B.CIVIL WRIT (PAROLE) PETITION NO.4419/2014 Deeparam @ Deepak versus State of Raj.

& ORS.Date of Order :: 14.07.2014 PRESENT HON'BLE Mr.JUSTICE GOVIND MATHUR HON'BLE Mr.JUSTICE ARUN BHANSALI By post Mr.J.P.S.Choudhary, for the respondents.

BY THE COURT : A letter addressed to this court by the convict-prisoner Deeparam @ Deepak S/o.

Samartharam, presently lodged at Central Jail, Jodhpur, is treated as a petition for writ.

Briefly stated, facts of the case are that the District Parole Advisory Committee, Pali by order dated 28.04.2014 awarded 20 days regular parole to the convict-prisoner subject to his furnishing two sureties in a sum of of Rs.25,000/- each and

a personal bond of the like amount.

The submission of the petitioner in the letter addressed to this Court is that being coming from lower echelons of society, he is not in position to avail the sureties required.

A direction, thus, be given to the respondents to award him parole by [2].furnishing personal-bond only.

This Court by order dated 09.07.2014 directed the learned Government Advocate to verify the socio-economic condition of the petitioner and his family.

Learned Public Prosecutor after availing necessary instructions from the Superintendent of Police, Pali submits that the petitioner is a member of Scheduled Caste and the economic condition of his family is quite weak.

The report provided to the learned Government Advocate by the Superintendent of Police, Pali reads as under:- 1.

" $ " % %$ 2.

' : , - $ $ 3.

$ - $ $ ' % - 2 2 3 5-6 " 4.

% ' " ' % " - 2 " " " 5.

" ' - - " $ % " % - " ' 6.

" - 2 2 " % " $ - 7.

3 < " " % - 2 2 3 ' < ?.

$ " % $ A A $ [3].3 - " .

" " % - 20 -$, - $ - - C " The Probation Officer, Department of Social Justice & Empowerment, Pali, who has given a detailed report about the status of family of convict-prisoner, that reads as under:- 1.

3 :- " ' 70 , - - $ $ 65 - " 03 " 3 38 2.

3 :- " ' 3 3 " From the perusal of facts pointed out by the Superintendent of Police, Pali and the District Probation Officer, Department of Social Justice & Empowerment, Pali, we are of the view that in the event of not giving the directions as prayed for, the petitioner shall not be in position to avail the parole, a valuable statutory right given under the Rules of 1958.

Looking to poor and weak socio-economic conditions, we deem it appropriate to grant this petition.

Accordingly, the petition for writ is allowed.

The respondents are directed to release the petitioner Deeparam @ [4].Deepak S/o.

Samartharam to avail fiRs.regular parole as per provisions of the Rules, 1958 provided he furnishes a personal bond of Rs.25,000/- to the satisfaction of the Superintendent, Central Jail, Jodhpur.

The Superintendent, Central Jail, Jodhpur while releasing the petitioner on parole shall be at liberty to impose other adequate and reasonable conditions to ensure his return to the State custody after availing the parole.

The Registry of this court is directed to send a certified copy of this order to the Superintendent, Central Jail, Jodhpur with a specific direction to convey decision of this court to the convict-prisoner within a period of 3 days from the date of receipt of the order.

[ARUN BHANSALI]., J.

[GOVIND MATHUR]., J.

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