

Chandan at Changil Vs. the State of Rajasthan and ors.

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Court : Rajasthan

Decided On : Aug-10-2011

Judge : Narendra Kumar Jain, J.

Acts : Rajasthan Prisoners Release on Parole Rules, 1958 - Rule 13

Appeal No. : S.B. CIVIL MISC. WRIT PETITION(PAROLE) NO.8566 of 2011

Appellant : Chandan at Changil

Respondent : The State of Rajasthan and ors.

Advocate for Def. : Mr. Mahendra Meena. Adv

Advocate for Pet/Ap. : Ms. Gayatri Rathore, Adv

Judgement :

1. Heard learned counsel for the parties.
2. Convict-petitioner has preferred this parole writ petition for grant of second parole of 30 days.
3. A notice to show cause was given and in response thereto, the respondents have filed their reply contending that conduct of petitioner during jail custody was not satisfactory and he was awarded jail punishment also.
4. I have considered the submissions of the learned counsel for the parties.

5. As per the provisions of the Rajasthan Prisoners Release on Parole Rules, 1958 (for short 'the Rules of 1958'), it is a pre-condition that before filing an application or releasing the convict-petitioner on parole, his conduct in jail custody should be satisfactory.

6. In the present case, there is report of Jail Superintendent that conduct of petitioner is not satisfactory. In addition to it, it is also reported that petitioner was awarded jail punishment. Even otherwise, as per Rule 13 of the Rules of 1958, convict-petitioner cannot claim parole as a matter of right.

7. In these circumstances, I do not find any force in this writ petition and the same is, accordingly, dismissed.

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