



2026:CGHC:15490-DB

NAFR

**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPCR No. 180 of 2026**

Kishanlal S/o Shri Ruplal Markam, aged about 75 years R/o Ward No. 14, Ramnagar, Post and P.S.- Kota, District- Bilaspur, Chhattisgarh

**... Petitioner****versus**

**1** - State of Chhattisgarh Through Secretary, Department of Home (Jail), Mantralaya Mahanadi Bhawan, Raipur, District- Raipur, Chhattisgarh

**2** - District Magistrate Bilaspur District- Bilaspur, Chhattisgarh

**3** - Superintendent of Jail Central Jail Bilaspur, District Bilaspur, Chhattisgarh

**... Respondents**

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For Petitioner : Mr. Neeraj Baghel, Advocate  
For Respondent/State : Mr. Priyank Rathi, Govt. Advocate

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**Hon'ble Shri Ramesh Sinha, Chief Justice**  
**Hon'ble Shri Ravindra Kumar Agrawal, Judge**

**Order on Board****Per Ramesh Sinha, Chief Justice****06.04.2026**

**1.** Heard Mr. Neeraj Baghel, learned counsel for the petitioner. Also heard Mr. Priyank Rathi, learned Government Advocate, appearing for the State.

**2.** The present writ petition has been filed by the petitioner with the following prayers:

*"10.1 That this Hon'ble Court may kindly be pleased to quash the impugned order dated 09.02.2026*



*(ANNEXURE P/1) passed by the District Magistrate, Bilaspur, Chhattisgarh;*

*10.2. That this Hon'ble Court may kindly be pleased to direct the respondent to release of the petitioner on parole;*

*10.3. That this Hon'ble Court may kindly be pleased to grant any other relief(s) that it deems fit and proper in the interest of justice and equity, in Favor of the petitioner”*

3. Learned counsel for the petitioner would submit that the petitioner was convicted by the learned Additional Sessions Judge, FTC, Bilaspur under Section 376(D) of the IPC and sentenced to life imprisonment (till natural death) vide order dated 27.03.2023 in Sessions Case No. 128/2019, however, the appeal filed by the appellant against the said order in CRA No. 972/2023 has been partly allowed by this Court and his sentence has been reduced from life imprisonment (till natural death) to RI for 20 years. The said prisoner is presently lodged in Central jail, Bilaspur since 01.07.2019. He further submitted that the petitioner, after having served a substantial portion of his sentence, applied for temporary release on parole under the provisions of the Chhattisgarh Prisoners Leave Rules, 1989, the respondent authorities forwarded the matter to the Superintendent of Police, Bilaspur, for inquiry. As part of this inquiry, statements were recorded from members of the victim, who raised objection to the release of the petitioner on parole and in the lieu of the said objection the District Magistrate, Bilaspur rejected the application filed by the petitioner vide order dated 09.02.2026, summarily without following the mandate of the



Chhattisgarh Prisoner's Leave Rules, 1989. It is thus submitted that the order dated 09.02.2026 suffers from non-application of mind and violation of statutory provisions, and is liable to be quashed.

4. *Per contra*, learned State counsel opposed the submissions and would submit that the petitioner stands convicted of heinous offences under Section 376(D) of the IPC and sentenced to life imprisonment (till natural death), however, the appeal filed by the appellant against the said order has been partly allowed by this Court and his sentence has been reduced from life imprisonment (till natural death) to RI for 20 years. The application for temporary release was considered by the Collector-cum-District Magistrate, Bilaspur, on the recommendation of the Superintendent of Police, who specifically recorded the objection of the victim's family that if the petitioner is released even temporarily, there is a grave apprehension of danger to their lives. It is further pointed out that this Court in ***WPPIL No. 33 of 2025 (In the Matter of Suo Moto Public Interest Litigation vs. State of Chhattisgarh & Others)*** has already expressed its concern that several prisoners released on parole or short-term bail have absconded and have not returned to custody, thereby creating serious law and order issues. In light of such observations and considering the apprehension expressed by the victim's family, the competent authority rightly rejected the petitioner's application for parole, and no interference is warranted.

5. Having heard learned counsel for the parties and upon perusal of the record, this Court finds no infirmity in the impugned order dated 09.02.2026. The rejection of the petitioner's application for temporary



release is based not only on the nature and gravity of the offences for which he stands convicted, but also on the valid apprehension expressed by the victim's family regarding threat to their lives. Furthermore, this Court in *WPPIL No. 33 of 2025* has already observed the tendency of prisoners misusing the concession of parole and absconding, which has a direct bearing on public order and safety. In view of these circumstances, the authority was justified in exercising caution and rejecting the petitioner's request.

6. Accordingly, the writ petition being devoid of merit deserves to be and is hereby **dismissed**.

**Sd/-**  
**(Ravindra Kumar Agrawal)**  
**Judge**

**Sd/-**  
**(Ramesh Sinha)**  
**Chief Justice**