



**HIGH COURT OF JUDICATURE FOR RAJASTHAN
JODHPUR**

D. B. Criminal Writ Petition No. 131/2022

Girdhari Singh

----Petitioner

Versus

State of Rajasthan

----Respondent



For Petitioner(s) : Ms. Ranjana Singh Mertia
For Respondent(s) : Mr. Anil Joshi, GA-cum-AAG
Mr. R. Anantheswaran, Supdt., Central Jail, Bikaner is present in person

**HON'BLE MR. JUSTICE SANDEEP MEHTA
HON'BLE MR. JUSTICE RAMESHWAR VYAS**

Order

12/04/2022

The petition at hand presents a very sorry state of affairs. The convict-petitioner's mother expired on 09.03.2022. An application for interim parole was filed on behalf of the petitioner to the Superintendent, Central Jail, Bikaner on 10.03.2022. But it was not decided for the purported reason that the prayer in the application was for grant of 15 days' emergent parole. The Superintendent, Central Jail, Bikaner reportedly forwarded the application to the District Collector, Bikaner, who remitted it back to the Superintendent, Central Jail, Bikaner for passing appropriate order. Nearly a month had passed since the petitioner's mother expired, whereafter he moved the instant writ petition.

While issuing notices on 08.04.2022, an oral direction was given to the learned GA-cum-AAG that the emergent parole



application of the petitioner should be decided, whereafter, he has been released on emergent parole.

This Court has time and again directed the jail as well as parole authorities to remain vigilant while deciding the emergent parole applications and to ensure that orders are passed thereupon within 7 days of presentation. Now under Rule 23 of the Rajasthan Prisoners Release on Parole Rules, 2021, an application for emergent parole is required to be decided within 4 days of presentation. Apparently, the Superintendent, Central Jail, Bikaner as well as District Collector, Bikaner have acted in contempt of this Courts' directions as also in gross non-compliance of Rule 23 of the Rules of 2021.

The District Collector, Bikaner and the Superintendent, Central Jail, Bikaner shall remain present before this Court on the next date of hearing and show cause as to why appropriate disciplinary proceedings may not be directed against them.

Ms. Mertia submits that the convict-petitioner has been granted only 7 days emergent parole by the Superintendent, Central Jail, Bikaner. The said period is extended to 15 days.

List the matter on 18.04.2022.

(RAMESHWAR VYAS),J

(SANDEEP MEHTA),J

63-Inder/-