



2026:CGHC:24611-DB

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR**WPCR No. 296 of 2026**

Sukhnath Nag Son of Kunwar Sai Aged About 30 Years Resident of Village-Gharjiyan Bathan, Bazarpara, Tahsil And Police Station - Patthalgaon, District -Jashpur (C.G.)

... Petitioner**versus**

1 - State of Chhattisgarh Through The Secretary Home (Police) Department, Mahanadi Bhawan, Mantralaya Atal Nagar, Nawa Raipur (C.G.)

2 - The Collector and District Magistrate, District - Jashpur (C.G.)

3 - The Superintendent of Jail, Central Jail Ambikapur, District -Surguja (C.G.)

4 - The Superintendent of Jail Central Jail Bilaspur, District -Bilaspur (C.G.)

5 - The Station House Officer Police Station, Pattalgaon, District - Jashpur (C.G.)

... Respondents

For Petitioner : Mr. Manish Mishra, Advocate
For Respondent/State : Mr. Priyank Rathi, Govt. Advocate

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

Order on Board**Per Ramesh Sinha, Chief Justice****18.06.2026**

1. Heard Mr. Manish Mishra, 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 seeking following reliefs :-

“i. That this Hon’ble Court may kindly be pleased to set-aside the impugned order dated 20.02.2026 (Annexure P-1) and further be pleased to direct the respondent no. 2 for fresh consideration of application of petitioner for release on parole in view of order passed by this Hon’ble High Court in similar matter bearing Writ Petition (Cr.) No. 8089/2022 “Santosh Singh Vs. State of Chhattisgarh & others” decided on 21.07.2023.

ii. That any other relief/ order which may deem fit and just in the facts and circumstances of the case including award of the cost of the petition may be given.”

3. Learned counsel for the petitioner would submit that the petitioner was tried for the offences punishable under Section 363, 366 of IPC and Section 6 of Protection of Children from Sexual Offences Act, 2012 and after completion of trial, the petitioner has been convicted and sentenced under aforementioned offences by judgment dated 06.03.2023. Thereafter, being aggrieved by the judgment of conviction, the petitioner has preferred an appeal bearing Cr.A. No. 1276 of 2023 before this Hon'ble Court and the same is pending consideration and vide order dated 04.10.2023 this Hon'ble Court has rejected the application for suspension of sentence and for grant of bail. He further submitted that as the petitioner has already completed 5 years 11 months & 29 days jail sentence as on 14.11.2025 and he has not



released single time on parole, he has applied for release on parole and vide letter dated 14.11.2025 the respondent no. 4 has forwarded the application of the petitioner to respondent no. 2 for appropriate action, who has directed the concerned Police Station i.e. respondent No.5 for submitting report and respondent No.5 has submitted report before the respondent No.2, mentioning therein that the family members of victim and Sarpanch of concerned Gram Panchayat have raised objection in releasing the petitioner on parole and in lieu of the said objection the respondent No.2 has rejected the application filed by the petitioner vide order dated 20.02.2026, summarily without following the mandate of the Chhattisgarh Prisoner's Leave Rules, 1989. It is thus submitted that the order dated 20.02.2026 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 363, 366 of IPC and Section 6 of POCSO Act and his application for suspension of sentence and for grant of bail has already been rejected by this Court vide order dated 14.10.2023 in Cr.A. No. 1276 of 2023. He further submitted that the application for parole was considered by the Collector-cum-District Magistrate, Jashpur, i.e. respondent No.2 and on the basis of recommendation of concerned 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, has rejected the same vide order dated 20.02.2026. 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 20.02.2026. 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**