



IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 25TH DAY OF FEBRUARY 2026

BEFORE

THE HON'BLE MR. JUSTICE B M SHYAM PRASAD

WRIT PETITION NO. 2158 OF 2026 (GM-POLICE)

BETWEEN:

ASMA NIKHATH,
W/O WAHEED ULLA KHAN,
M/O THOUHID PASHA CTP-271
AGED ABOUT 32 YEARS,
4428 NO.9TH WARD,
NEAR REVANAPPA TEMPLE,
SHETTALLI BEEDI,
RAMANAGARAM,
RAMANAGAR KARNATAKA,
KARNATAKA-562159.

...PETITIONER

(BY SRI. SIRAJUDDIN AHMED., ADVOCATE)



AND:

1. STATE OF KARNATAKA
HOME DEPARTMENT,
THROUGH PRINCIPAL SECRETARY
VIDHANA SOUDHA,
BENGALURU-560001.



2. CHIEF SUPERINTENDENT
CENTRAL PRISON
KALABURAGI-585201.
3. SHO RAMANAGARA PS
KARNATAKA - 562159
(JURISDICTIONAL POLICE STATION)

...RESPONDENTS

(BY SRI.B. RAVINDRANATH., AGA)

THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO A. DIRECT RESPONDENT NO. 2 TO RELEASE THE PETITIONER'S SON, THOUHID PASHA CTP NO. 271 CURRENTLY LODGED IN KALABURAGI CENTRAL PRISON, ON GENERAL PAROLE FOR A PERIOD OF 90 DAYS, TO ENABLE HIM TO CARE FOR HIS MOTHER, WHO IS A SENIOR CITIZEN SUFFERING FROM VARIOUS HEALTH AILMENTS INCLUDING A RECENT STROKE, AND WHO HAS BEEN ADVISED COMPLETE BED REST AND TO AVOID ANY STRESSFUL ACTIVITIES THAT MAY WORSEN HER CONDITION.



THIS PETITION, COMING ON FOR
PRELIMINARY HEARING, THIS DAY, ORDER WAS
MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE B M SHYAM PRASAD

ORAL ORDER

The petitioner's son, Mr. Thouhid Pasha, is convicted and sentenced to life by the I Additional District and Sessions Judge, Ramanagaram in SC No.35/2015 for offences punishable under Section 302 and other Sections of the Indian Penal Code. The petitioner's son has completed over eight years in prison, and the second respondent has issued the *Endorsement* dated 16.12.2025 in response to the application by the petitioner's son for *General Parole*.

The second respondent's *Endorsement* is in the light of the jurisdictional Police's Report that **[a]** the petitioner's son does not suffer serious illness, **[b]** there is every possibility of the petitioner's son



absconding if admitted to parole, **[c]** he can bring in duress on those who have spoken against him in the trial and **[d]** he could also be part of conspiracy to commit further offence. Sri Sirajuddin Ahmed, the learned counsel for the petitioner, and Sri B. Ravindranath, the learned Additional Government Advocate, are heard for disposal.

This Court has been reiterating that the decision on an application for General Parole must be by the Director General of Prisons and Correctional Services as contemplated under the *Karnataka Prisons and Correctional Services Manual 2021* [for short, '*the Manual 2021*'] and that such decision must not only be in the light of the Report that is furnished by the jurisdictional Police but also in the context of the purposes for which a convict is admitted to parole. In the circumstances of the case, this Court opines that the Director General of Prisons and Correctional Services must consider all



circumstances, including the purposes for which a convict is admitted to parole, to achieve the salient object thereof. Hence, the following

ORDER

[A] The petition stands disposed of reserving liberty to the petitioner [through her counsel] to forward a certified copy of this order to the second respondent over email [*cpgbg.prisons-kar@gov.in*].

[B] The second respondent, within one [1] week from the date of receipt of such order, shall forward all the papers to the office of the Director General of Prisons and Correctional Services for orders in the light of this Court's observations.



[C] The Director General of Prisons and
Correctional Services shall
communicate the decision within four
[4] weeks from the date of receipt of a
certified copy of this order.

Sd/-
(B M SHYAM PRASAD)
JUDGE

NV