



RAJASTHAN HIGH COURT
HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JODHPUR

D.B. Civil Writ Petition No. 18964/2026

CNR: RJHC010548412026 | URN: CW / 3610U / 2026

Lal Singh S/o Shri Arjun Singh, Aged About 41 Years, At Present Lodged In Central Jail Jodhpur Through His Wife Smt Shobha Kanwar W/o Lal Singh, Aged About 36 Years R/o Village Of Jogidass District Jaisalmer

-----Petitioner

Versus

1. The State Of Rajasthan, Dept Of Home Rajasthan Jaipur
2. The District Collector, Jaisalmer
3. The Superintendent, Central Jail Jodhpur

-----Respondents

For Petitioner(s) : Mr. Kalu Ram Bhati
Mr. Sawpan Chouhan
For Respondent(s) : Mr. Deepak Choudhary, AAG

HON'BLE MR. JUSTICE VINIT KUMAR MATHUR
HON'BLE MR. JUSTICE CHANDRA SHEKHAR SHARMA

Order

01/10/2026

Vinit Kumar Mathur, J.

1. Heard learned counsel for the parties.
2. The present writ petition has been filed against the order dated 13.05.2026, whereby the application for grant of seven days parole has been rejected by the District Parole Committee in its meeting held on 13.05.2026.
3. Learned counsel for the petitioner submits that petitioner is facing incarceration in pursuance of the judgment dated 04.11.1997 passed in Sessions Case No.35/1994.
4. The learned counsel submits that the petitioner is presently lodged in the Central Jail, Jodhpur and being eligible for grant of

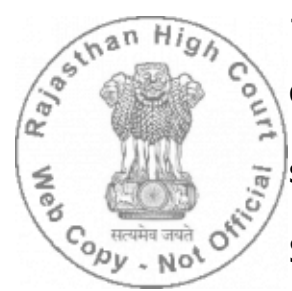


seven days parole, as per the Rajasthan Prisoners Release on Parole Rules, 1958 (Rules of 1958) and therefore, he has filed an application for releasing him on parole for seven days.

5. Learned counsel for the petitioner submits that the petitioner does not incur any ineligibility as per the Rules of 1958. He further submits that the case of the petitioner was recommended by the Superintendent Jail as per the mandate of Rule 18 of the Rules of 1958 for releasing him on parole for seven days.

6. He submits that despite there being a recommendation by the Superintendent of Jail, the District Parole Committee has committed an error by rejecting the case of the petitioner vide order dated 13.05.2026. He submits that the order rejecting parole of seven days is non speaking one and no reasons have been assigned by the District Parole Committee. He therefore prays that the application may be allowed.

7. Learned Additional Advocate General Mr. Deepak Choudhary, while opposing the submissions of the petitioner submits that petitioner was in custody of the District Jail, Jaisalmer and he was released on second parole of thirty days on 07.12.2001 but after being released on second parole, he absconded for almost 22 years. He submits that an FIR No.04/2002 was registered at Police Station Ratanada, Jodhpur, however he could be arrested only on 13.04.2024. He submits that during the period of absconsion for 22 years as many as 14 criminal cases were registered against him. Therefore, he prays that in these circumstances, the learned District Parole Committee has rightly rejected the case of the petitioner for releasing him on parole of seven days as per the rule 18 of the Rules of 1958.





8. The learned AAG, however, very fairly submits that the order dated 13.05.2026 does not inscribe any reasons for rejection of the application of the petitioner, therefore, he submits that the respondents may be directed to reconsider the case of the petitioner, keeping in mind the provisions of the Rules of 1958, by passing a reasoned and speaking order.

9. The learned counsel for the petitioner, at this stage, submits that he may be given liberty to approach the respondents by way of filing a fresh application for reconsideration of the matter by the respondents.

10. *Prima facie*, we are of the view that the Rules of 1958 is a welfare legislation and the purpose is to mitigating hardships of the convict prisoners and their families. The purpose is that if a person is facing incarceration for a long period then his bonds are snapped from the family and the society therefore to rekindle the bonds and to address the issues of the family the person is released for shorter durations.

11. The purpose of the Rules of 1958 is to give benefit to the prisoners in the larger societal interest and they are therefore, required to be obeyed in its true letter and spirit. In the present case, we find that the petitioner has absconded for a period of more than 22 years, therefore, it is the case of the blatant misuse of the benefits extended in the Rules of 1958, however, since the order passed by the District Parole Committee is non-speaking one, therefore, the writ petition merits acceptance.

12. Accordingly the writ petition is allowed and the order dated 13.05.2026 is quashed and set aside. The petitioner may file fresh application before the District Parole Committee for



reconsideration of his case for releasing him on parole of seven days as per the mandate of the Rules of 1958.

13. In case such application is filed by the petitioner, the District Parole Committee is directed to reconsider the case of the petitioner in accordance with law without being influenced by the observations made by this Court.

(CHANDRA SHEKHAR SHARMA),J (VINIT KUMAR MATHUR),J

150/Nidhi Rai