
(2017) 05 RAJ CK 0182
In the Rajasthan High Court
Case No : 6550 of 2017

Kalu Lal

APPELLANT

Vs

The State of Rajasthan & ors.

RESPONDENT

Date of Decision : 03-05-2017

Acts Referred:

[Indian Penal Code, 1860](#), [Section 302](#) -
Punishment for murder

Citation : (2017) 05 RAJ CK 0182

Hon'ble Judges : Ajay Rastogi, Dinesh Chandra Somani

Bench : DIVISION BENCH

Advocate : Rohit Khandelwal, Pankaj Sisodia, B.N.Sandu

Judgement

1. Instant petition has been filed by the convict-petitioner seeking emergent parole u/Rule.10-A of the Rules, 1958 on the ground of marriage of his daughter Kumari Heera Bai to be solemnized on 06.05.2017. The petitioner is convicted u/ Sec.302 IPC & sentenced to undergo life imprisonment vide judgment dt.12.08.2015 and that is the subject matter of challenge in D.B.Criminal Appeal No.827/2015 pending before this Court.

2. Apart from marriage card, Sarpanch, Gram Panchayat Ghatoli, Panchayat Samiti Khairabad, District Kota has also certified regarding marriage of his daughter to be solemnized on 06.05.2017.

3. After the notices of the present petition came to be served, reply has been filed by the respondents along with which the report sent from the office of Superintendent of Police, Kota (Rural) dt.02.05.2017 has been placed on record for perusal as Annex.R/2 indicating that on enquiry it revealed that marriage of the petitioner's daughter Kumari Heera Bai is to be solemnized on 06.05.2017.

4. The jail conduct of the convict-petitioner, as per the nominal role Annex.R/1 is satisfactory and he is seeking emergent parole u/R.10-A of the Rules, 1958 for the reason that his daughter's marriage is to be solemnized on 06.05.2017.

5. R.10-A of the Rules, 1958 lays down certain exigencies where emergent parole can be availed by the convict-prisoner which indisputably covers the case of the present petitioner seeking emergent parole for his daughter's marriage.

6. After we have heard counsel for the parties and taking note of the material which has come on record, we are satisfied that the petitioner has made out a case for grant of emergent parole, prayed for by him u/R.10-A of Rules, 1958.

7. Consequently, the instant petition succeeds & is hereby allowed and the jail authorities are directed to release the convictpetitioner (Kalu Lal S/o Pratap) on emergent parole for a period of fifteen days including days of journey to home & back from the date of his release on furnishing his personal bond besides one surety of Rs.25,000/- to the satisfaction of the jail authority with the stipulation that he shall surrender himself and return back to the jail authority on expiry of 15 days (supra) to be notified by the jail authority and shall maintain peace & tranquility during parole period and in addition to it he shall further report during emergent parole on each Sunday at 11:00 AM at the concerned police station and that report be furnished to the jail authority. In case of failure to surrender by petitioner on stipulated date, the jail authority shall proceed in accordance with law.

8. A copy of this order be sent to the petitioner through the jail authority for compliance. No costs.