

(2013) 01 RAJ CK 0114

In the Rajasthan High Court

Case No : Civil Writ Petition (Parole) No. 20263/2012

Radhey Shyam

APPELLANT

Vs

State of Rajasthan and Others

RESPONDENT

Date of Decision : 16-01-2013

Acts Referred:

Citation : (2013) 01 RAJ CK 0114

Hon'ble Judges : Veerender Singh Siradhana, J;N.K. Jain, J

Bench : Division Bench

Judgement

1. Heard finally. Convict/petitioner, Radhey Shyam S/o. Chhotu Lal, has sent two letters for his transfer from District Jail Tonk to District Jail Jhalawar and to grant him third parole of 40 days.

2. The respondents have filed the reply to writ petition, wherein it is stated that appeal of petitioner against his conviction is pending, therefore, in view of judgment of this Court in Umesh Kumar Singh alias Munna Singh Vs. State of Rajasthan and others, , the petitioner is not entitled for grant of parole during pendency of the appeal.

3. Since the judgment of Umesh Kumar Singh vs. State of Rajasthan (supra) has already been referred to Larger Bench for its reconsideration, therefore, we dismiss this writ petition at this stage with liberty to convict/petitioner to move fresh application soon after decision of Larger Bench in case of Ramesh Kumar Vs. State of Rajasthan & Ors., in D.B. Civil Writ (Parole) Petition No. 8343/2012.

4. So far as prayer relating to transfer of petitioner from District Jail Tonk to District Jail, Jhalawar is concerned, the petitioner should first approach the respondents by moving an application, in accordance with law and in case any adverse order is passed, then he may approach to this Court. A copy of this order be sent for information to convict.