

## Shanaz Khanum Vs State Of Karnataka Home Department, Through Principal Secretary Vidhana Soudha Bengaluru - 560001 & Ors.

**Court:** Karnataka High Court At Bengaluru

**Date of Decision:** Jan. 27, 2025

**Acts Referred:** Indian Penal Code, 1860 " Section 302  
Karnataka Prisons And Correctional Services Manual, 2021 " Rule 635, 636

**Hon'ble Judges:** R Devdas, J

**Bench:** Single Bench

**Advocate:** Haleema Begum H, Shamanth Naik

**Final Decision:** Disposed Of

### Judgement

R Devdas, J

1. This writ petition is filed by the petitioner, who is the mother of Sri Sajjad Khan, who is undergoing sentence for the offence punishable under

Section 302 of Indian Penal Code in S.C.No.158/2015, seeking a writ of mandamus directing the second respondent-Chief Superintendent of Central

Prison, Bengaluru, to grant General Parole to her son Sri Sajjad Khan, (CTP No.10058).

2. On the previous date of hearing, this Court had directed the learned AGA to secure instructions and make submissions.

3. Learned AGA today submits that similar petition was earlier filed in W.P.No.2735/2024 and by order dated 23.04.2024, 30 days parole was granted

which ended on 24.05.2024. Learned AGA submits that general parole cannot be granted within a period of six months from the date of the previous

parole and that is the reason why the application filed by the petitioner was rejected.

4. Learned AGA submits that now that the said period of six months has elapsed, the request made by the petitioner can be considered.

5. The petitioner, who is the mother of the prisoner contends that she is suffering from chest pain, blood pressure and APC (Antigen-presenting cell)

and she requires her son's presence to provide physical support as well as financial support for her medical treatment.

6. Rule 635 of The Karnataka Prisons And Correctional Services Manual " 2021 provides that General Parole and Emergency Parole may be

granted to the inmates for progressive measures of correctional services. The release of a prisoner on leave not only saves him from the evils of

incarceration but also enables him to maintain social relations with his family and the community. It also helps him to maintain and develop a sense of

self-confidence. Continued contacts with family and the community sustain in him a hope for life. There are many other such reasons which are cited

for the purpose of grant of parole. The objectives of the parole are also contained in Rule 636 of the Manual.

7. In that view of the matter, this Court proceeds to pass the following :

:ORDER:

i) Respondent No.2 - Chief Superintendent of Central Prison, Bengaluru, is directed to grant General parole for a period of 30 days in respect of

Sri.Sajjad Khan, CTP.No.10058, commencing from 28.01.2025 to 26.02.2025, for a period of 30 days.

ii) The respondent No.2 shall stipulate strict conditions as are usually stipulated, to ensure return of the detune to the prison and that he shall not

commit any other offence during the period of parole.

iii) Registry is directed to communicate this order to respondent No.2, by way of electronic mail, forthwith.

The Writ Petition stands disposed of accordingly.