



**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Criminal Writ Petition No. 134/2026

Govaram, Son Of Motiji R/o Bageri Ps Aburoad Sadar District
Sirohi (Lodged In Central Jail Jodhpur)

-----Petitioner

Versus

1. State Of Rajasthan, Through Secretary
2. Collector, Sirohi
3. Supdt. Central Jail, Jodhpur

-----Respondents

For Petitioner(s) : Mr. Purushottam Saraswat, Amicus
Curiae
For Respondent(s) : Mr. Surendra Bishnoi, AGA

HON'BLE MR. JUSTICE FARJAND ALI

Order

02/02/2026

1. The instant criminal writ petition has been preferred by the convict-petitioner seeking his release on first parole of twenty days.
2. The parole application of the convict-petitioner for grant of first regular parole of twenty days was considered by the District Parole Advisory Committee, Jodhpur, and the same came to be rejected vide recommendations dated 08.12.2025, primarily on the basis of adverse opinions furnished by the police authorities.
3. Learned counsel for the petitioner submits that the parole application of the petitioner has been rejected on mechanical and extraneous considerations, despite the fact that the petitioner fulfils the eligibility criteria under the applicable rules and his conduct in jail has been reported to be satisfactory. It is further



submitted that vague apprehensions expressed by the police authorities cannot constitute valid grounds for denial of parole.

4. Learned counsel for the State has filed reply and submits that the recommendations of the District Parole Advisory Committee are based on the material placed before it, including the police reports, and therefore do not call for interference by this Court.

5. Heard. Perused the material available on record.

6. A careful perusal of the minutes of the meeting of the District Parole Advisory Committee dated 08.12.2025 reveals that the case of the convict-petitioner was considered on the basis of reports received from the Superintendent, Central Jail, Jodhpur, the concerned Probation and Jail Welfare Officer, and the police authorities. As per the report of the Superintendent, Central Jail, Jodhpur, the conduct of the petitioner during incarceration has been found to be satisfactory. However, the Superintendent of Police, Sirohi, in his report, opined that the convict-petitioner and the complainant party belong to the same village and that there exists continuing animosity between the two sides since the occurrence. It has further been recorded that in the Garasiya tribal community there is a prevailing practice of retaliatory action, and that release of the petitioner on parole may lead to confrontation between the parties, resulting in breach of peace and disturbance of law and order. Apprehension has also been expressed regarding threat to the life of the petitioner himself upon his release. Similar adverse opinion has been expressed by the Station House Officer concerned. Taking note of the aforesaid apprehensions and relying



primarily upon the police reports, the Committee unanimously resolved to reject the prayer of the petitioner for grant of first regular parole of twenty days.

7. Having heard and considered the submissions advanced by learned counsel for the parties and on a cumulative assessment of the material placed on record, this Court is of the considered view that the apprehensions expressed in the police reports, though noted, are general in nature and predictive rather than fact-based. The reports do not disclose any specific incident, overt act or concrete material indicating that the petitioner, if released on parole for a limited duration, is likely to misuse the liberty or disturb public order. The possibility of inter se tension between the parties or a perceived threat scenario, by itself, cannot be treated as a determinative factor for denial of parole, particularly when the conduct of the petitioner in jail has been reported to be satisfactory and no adverse material during incarceration has been brought to the notice of the Court. Maintenance of law and order and ensuring the safety of all concerned is a continuing obligation of the State, and such concerns can be adequately addressed by imposing suitable and reasonable conditions upon the petitioner during the period of parole. Parole being an important instrument of reformation and social reintegration, denial thereof on the basis of speculative apprehensions would defeat the object underlying its grant.

8. In this background, this Court is inclined to accept the instant writ petition, which is hereby allowed. It is ordered that the





convict-petitioner shall be released on first parole of twenty days upon his furnishing a personal bond in the sum of Rs.50,000/- with two sureties of Rs.25,000/- each to the satisfaction of the Superintendent, Central Jail, Jodhpur, on the usual terms and conditions. The Superintendent, Central Jail, Jodhpur shall be at liberty to impose such other adequate and reasonable conditions as may be necessary to ensure the return of the petitioner to custody after availing the parole. The period of parole shall be computed from the date of his actual release.

(FARJAND ALI),J

139-Pramod/-