

A.F.R.

Reserved on:- 05.02.2026

Delivered on:- 19.03.2026



2026:AHC-LKO:20161-DB

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

CRIMINAL MISC. WRIT PETITION No. - 848 of 2026

Angad Yadav

.....Petitioner(s)

Versus

State Of U.P. Thru. Its Prin.
Secy. Home Deptt. And 4
Others

.....Respondent(s)

Counsel for Petitioner(s)	: Ayodhya Prasad Mishra A.P. Mishra, Rituraj Mishra
Counsel for Respondent(s)	: G.A.

Along with :

1.

Criminal Misc. Writ Petition No. 5870 of 2025:

Angad Yadav

Versus

State of U.P. Thru. its Prin. Secy. Home Deptt. and 4 others

2.

Criminal Misc. Writ Petition No. 10859 of 2025:

Angad Yadav

Versus

State of U.P. Thru. Prin. Secy. Home Deptt. Lko. and others

Court No. -9

**HON'BLE RAJESH SINGH CHAUHAN, J.
HON'BLE RAJEEV BHARTI, J.**

(Per : Rajeev Bharti, J.)

1. Heard Shri Ayodhya Prasad Mishra, learned counsel for the petitioner and Shri Bipul Kumar Singh, learned State Counsel, appearing on behalf of the respondent-State.

2. All the aforesaid writ petitions pertain to the same petitioner as also the grievance of the petitioner is similar, therefore, with the consent of learned counsel for the parties, all these petitions are being decided by a common order.

3. At present the petitioner is in jail in connection with Crime No. 835 of 1995, as he was convicted and sentenced to undergo life imprisonment under Section 302/34 I.P.C. with a fine of Rs.20,000/- by learned trial court, i.e. VIII Additional Sessions Judge, Lucknow in S.T. No.579 of 1996. Being aggrieved against the conviction order, the petitioner approached this Court by way of filing Criminal Appeal No.1044 of 2020, which was dismissed by a Division Bench of this Court vide order dated 16.03.2021. Being aggrieved against the dismissal of appeal, the petitioner approached the Hon'ble Supreme Court and filed Special Leave to Appeal (CrI.) No.1922 of 2022, which was also dismissed vide order dated 11.03.2022, copy of which is annexed as Annexure No.C.A.1 to the counter affidavit filed on behalf of State in CrI. Misc. Writ Petition No.10859 of 2025, hence the order passed by the learned trial court has been affirmed.

4. On 20.05.2025 a representation has been moved on behalf of the petitioner before the State Authorities under Section 432 of the Code of Criminal Procedure, 1973 (hereinafter referred to as 'Cr.P.C.') seeking short term bail on the ground of petitioner's multiple ailment, old age and humanitarian grounds for a period of two months. Thereafter on

26.06.2025 the petitioner approached this Court by way of filing Crl. Misc. Writ Petition No.5870 of 2025 seeking the following main prayers:-

(a) issue writ, order/orders or direction in the nature of mandamus commanding the opposite parties to consider the representation for grant of his release for short period dated 20.05.2025 submitted before respondents on humanitarian ground as early as possible and till disposal of his representation dated 20.05.2025, he may be permitted to furnish bonds for his release for such period as this Hon'ble Court may deem fit and proper before the court concerned or till disposal of his representation dated 20.05.2025 contained as Annexure No. 1 to the writ petition, in the ends of justice;

5. Learned State Counsel in his counter affidavit submitted that the representation dated 20.05.2025 made on behalf of the petitioner was rejected vide order dated 04.06.2025. The same is being reproduced hereinbelow :-

उत्तर प्रदेश शासन
कारागार प्रशासन एवं सुधार अनुभाग-3
संख्या-243 जेएल/22-3-2025-ई-1932376
लखनऊ: दिनांक: 04-06-2025

श्री अमर बहादुर यादव,
पुत्र अंगद यादव
निवासी ग्राम-मूसेपुर, पोस्ट-सदर,
थाना-सिधारी, जनपद-आजमगढ़।

कृपया प्रमुख सचिव, गृह, उ०प्र० शासन को सम्बोधित अपने पैरोल प्रार्थना-पत्र दिनांक 20-05-2025 का संदर्भ ग्रहण करें, जिसके द्वारा केन्द्रीय कारागार, नैनी प्रयागराज में निरुद्ध अपने पिता/सिद्धदोष बंदी अंगद यादव पुत्र स्व० रामबदन यादव को बंदी की गंभीर बीमारी के कारण मानवीय आधार पर उत्तर प्रदेश (बंदियों के दण्डादेश का निलम्बन) नियमावली-2007 के अन्तर्गत पैरोल पर रिहा किये जाने का अनुरोध किया गया है।

2- इस सम्बन्ध में अवगत कराना है कि उत्तर प्रदेश (बंदियों के दण्डादेश का निलम्बन) नियमावली, 2007 के नियम-3 में बंदी को स्वयं के उपचार हेतु पैरोल (दण्ड का अस्थाई निलम्बन) स्वीकृत किये जाने का प्रावधान नहीं होने के दृष्टिगत केन्द्रीय कारागार, नैनी प्रयागराज में निरुद्ध सिद्धदोष बंदी अंगद यादव पुत्र स्व० रामबदा यादव, निवासी जनपद-आजमगढ़ स्वयं के उपचार हेतु पैरोल का पात्र नहीं है। अतः आपके पैरोल प्रार्थना-पत्र दिनांक 20-05-2025 को सम्यक् विचारोपरान्त सक्षम प्राधिकारी द्वारा अस्वीकृत करते हुए निस्तारित कर दिया गया है।

6. Challenging the order dated 04.06.2025, the petitioner again approached this Court by way of filing Crl. Misc. Writ Petition No.10859 of 2025 with the following main prayer(s):-

"(a) issue writ, order/orders or direction in the nature of certiorari to quash the order dated 04.06.2025 vide No.243 J.L./22-3-2025-E-1932376 passed by Respondent No.6 contained as Annexure No.1 to the writ petition;

(b) to issue writ, order/orders in the nature of mandamus commanding the state authorities concerned to release the petitioner on parole/short-term bail whatsoever this Hon'ble Court may kindly be deemed fit and proper in the ends of justice."

7. Thereafter another representation dated 05.07.2025 was preferred on behalf of petitioner before the State Authorities for grant of short term bail/parole on the ground of settling the marriage of petitioner's son and daughter, however, the said representation also met with the same fate and was rejected on 27.10.2025. The same is being reproduced hereinunder :-

प्रेषक,

जिला मजिस्ट्रेट,
आजमगढ़ ।

सेवा में,

महानिदेशक,
कारागार प्रशासन एवं सुधार सेवाएं अनुभाग-3,
उ०प्र० शासन लखनऊ।

पत्रांक- 1531-32/जि० प्रो० का०/बन्दी-पैरोल/2025-26/ दिनांक 27.10.25

विषय:- जिला कारागार, आजमगढ़ में निरुद्ध सिद्धदोष बन्दी अंगद यादव पुत्र राम बदन यादव, निवासी ग्राम मोजरापुर, थाना कोतवाली, जनपद आजमगढ़ को 02 माह के पैरोल पर मुक्त करने हेतु जांच आख्या/संस्तुति का प्रेषण।

महोदय,

कृपया उपरोक्त विषयक वरिष्ठ जेल अधीक्षक, केन्द्रीय कारागार, नैनी, प्रयागराज के पत्र संख्या 2031/ए0 आर 0-1, दिनांक 07.07.2025 का सन्दर्भ ग्रहण करने का कष्ट करें, जिसके द्वारा विषयांकित सिद्धदोष बन्दी अंगद यादव पुत्र राम बदन यादव, निवासी ग्राम मोजरापुर, थाना-कोतवाली, जनपद आजमगढ़ को उसकी पुत्र व पुत्री की शादी हेतु 60 दिन के पैरोल पर मुक्त करने के सम्बन्ध में सुस्पष्ट आख्या /अभिमत शासन को उपलब्ध कराये जाने की अपेक्षा की गयी है।

उक्त के क्रम में सिद्धदोष बन्दी अंगद यादव पुत्र राम बदन यादव, निवासी ग्राम मोजरापुर, थाना कोतवाली, जनपद आजमगढ़ को अपनी पुत्री की शादी हेतु पैरोल पर मुक्त करने के सम्बन्ध में जांच आख्या /संस्तुति उपलब्ध कराये जाने हेतु जिला प्रोबेशन अधिकारी कार्यालय पत्र संख्या सी० 333, दिनांक 24.07.2025 एवं अनुस्मारक पत्र संख्या सी० 1429, दिनांक 29.09.2025 के द्वारा वरिष्ठ पुलिस अधीक्षक, आजमगढ़ को पत्र प्रेषित किया गया था, जिसके क्रम में वरिष्ठ पुलिस अधीक्षक, आजमगढ़ ने अपने पत्र संख्या जी० आर ० मेमो-383/2025, दिनांक 08.10.2025 के द्वारा अपनी जांच आख्या/संस्तुति प्रेषित की है, जो निम्नवत् है:-

1.	बंदी का संक्षिप्त अपराधिक इतिहास।	बंदी अभियुक्त अंगद यादव के विरुद्ध थाना स्थानीय पर निम्न अभियोग पंजीकृत है। 1. मु० अ० सं०-526/2000 धारा 147/504 भादवि थाना सिधारी, आजमगढ़। 2. मु० अ० सं०-527/2000 धारा 147/148/149/307/302/323/504/506 भादवि थाना सिधारी, आजमगढ़। 3. मु० अ० सं०-200/2016 धारा 302/120 बी भादवि थाना सिधारी, आजमगढ़ पंजीकृत है, जिसमें उक्त बंदी को जिला कारागार नैनी में निरुद्ध किया गया है। 4. मु० अ० सं०-78/2016 बारा-3 (1) यू०पी० गैंगेस्टर एक्ट थाना सिधारी, आजमगढ़।
2.	बंदी के परिवार के वयस्क सदस्यों का विवरण	1. विमला यादव पत्नी अंगद यादव उम्र करीब 69 वर्ष 2. संतोष यादव पुत्र अंगद यादव उम्र करीब 50 वर्ष। 3. आलोक यादव पुत्र अंगद यादव उम्र करीब 45 वर्ष। 4. अमर यादव पुत्र अंगद यादव उम्र करीब 30 वर्ष। 5. गौरी यादव पुत्री अंगद यादव उम्र करीब 40 वर्ष। 6. गरिमा यादव पुत्री अंगद यादव उम्र करीब 32 वर्ष। 7. पूनम यादव पत्नी आलोक यादव उम्र करीब 43 वर्ष। 8. रानी यादव पत्नी संतोष यादव उम्र करीब 48 वर्ष।
3.	बन्दी द्वारा पूर्व में भोगे गये पैरोल गृह अवकाश का विवरण	बंदी उपरोक्त कभी भी पैरोल/गृह अवकाश पर नहीं आया।
4.	बन्दी की पुत्र व पुत्र के विवाह के संबंध में आख्या। बंदी को पैरोल पर मुक्त किये जाने अथवा न किये जाने के	बन्दी अंगद यादव पुत्र रामबदन यादव द्वारा अपने पुत्र व पुत्री के विवाह तय करने हेतु पैरोल की मांग की गयी है। विवाह पूर्व से तय नहीं है। विवाह की तिथि नियत नहीं है। बंदी अंगद यादव एक आपराधिक प्रवृत्ति का व्यक्ति है। मात्र पुत्र व पुत्री के विवाह एवं वर वधू की तलाश हेतु पैरोल की मांग की गयी है। पैरोल पर दिये जाने का कोई औचित्य

	संबंध में आपकी संस्तुति(स्पष्ट कारणों सहित)	प्रतीत नहीं हो पा रहा है। उक्त की संस्तुति नहीं की जाती है।
--	---	---

उपरोक्त तथ्यों के आधार पर वरिष्ठ पुलिस अधीक्षक आजमगढ़ द्वारा बन्दी अंगद यादव पुत्र रामबदन यादव, निवासी ग्राम मोजरापुर, थाना कोतवाली, जनपद आजमगढ़ को पैरोल पर मुक्त करने की संस्तुति नहीं की गयी है।

अतः वरिष्ठ पुलिस अधीक्षक आजमगढ़ की आख्या से सहमत होते हुए बन्दी अंगद यादव पुत्र रामबदन यादव, निवासी ग्राम मोजरापुर, थाना कोतवाली, जनपद आजमगढ़ को पैरोल पर मुक्त करने की संस्तुति नहीं की जाती है।

उपरोक्तानुसार आख्या अग्रिम कार्यवाही हेतु प्रेषित है।
संलग्नक: वरिष्ठ पुलिस अधीक्षक, आजमगढ़ की आख्या।

भवदीय,

जिला मजिस्ट्रेट,
आजमगढ़ ।
25.10.25

8. Being aggrieved against the rejection of second representation, the petitioner again approached this Court by way of filing Criminal Misc.

Writ Petition No.848 of 2026 with the following main prayer(s):-

(a) issue writ, order/orders or direction in the nature of certiorari to quash the order dated 27.10.2025 vide letter No. 1531-32/जि० प्रो० का०/बन्दी-पैरोल/2025-26 passed by Respondent/District Magistrate Azamgarh contained as Annexure No. 3 to the writ petition;

(b) to issue a writ, order/orders in the nature of mandamus commanding the state authorities concerned to release the petitioner on parole/short-term bail whatsoever this Hon'ble Court may kindly be deemed fit and proper in the ends of justice;

Argument of learned counsel for the petitioner

9. Learned counsel for the petitioner has submitted that the petitioner was elected on the post of member of legislative Assembly in State of U.P. in the year 1991, 1993 and 2007 and he was also State of Minister of Forest in State of Uttar Pradesh. He has further submitted that the petitioner is an old person aged about 71 years and suffering from old

age diseases. Earlier a representation dated 20.05.2025 was moved on behalf of the petitioner for short term bail on humanitarian ground before the authorities concerned, but the same was rejected on 04.06.2025. The petitioner again moved a second representation dated 05.07.2025, which was also rejected vide order dated 27.10.2025. Learned counsel has further submitted that the second representation was rejected in cursory manner on the ground that the petitioner has criminal history; there are other family members in the house of the petitioner; the date of marriage of petitioner's children has not yet been fixed. He has further submitted that the short term bail/parole cannot be rejected on the ground of criminal cases. The petitioner was a political person and due to political enmity, false cases were registered against him and in most of the cases the petitioner has been acquitted and in 2 cases he has been convicted under Section 302 I.P.C., hence the petitioner is entitled to get the benefit of Rules framed by the State Authorities in the year 2007 for granting parole.

Argument of learned State Counsel

10. Per contra, Sri Bipul Kumar Singh, learned State Counsel opposed the prayer of learned counsel for the petitioner while stating that the petitioner has criminal history; marriage of petitioner's children has yet not been fixed, therefore, the petitioner is not entitled to grant parole and the petitions are liable to be dismissed.

Analysis

11. So far as the writ petition bearing Criminal Misc. Writ Petition

No.5870 of 2025, which was preferred to decide the representation dated 20.05.2025, is concerned, it transpires from the record that representation dated 20.05.2025, moved on behalf of petitioner, had already been decided vide order dated 04.06.2025, hence the said writ petition seeking to decide representation dated 20.05.2025 has no force.

12. As regards writ petition bearing Crl. Misc. Writ Petition No. 10859 of 2025 is concerned, the main ground for filing the representation dated 20.05.2025 was the petitioner's ill health, and the counsel for the petitioner has placed reliance upon a decision of Hon'ble the Supreme Court in the case of **Asfaq vs. State of Rajasthan & others (2017) 15 SCC 55**, especially para no.11, which is being reproduced hereinunder.

"11. There is a subtle distinction between parole and furlough. A parole can be defined as the conditional release of prisoners, i.e., an early release of a prisoner, conditional on good behaviour and regular reporting to the authorities for a set period of time. It can also be defined as a form of conditional pardon by which the convict is released before the expiration of his term. Thus, the parole is granted for good behaviour on the condition that the parolee regularly reports to a supervising officer for a specified period. Such a release of the prisoner on parole can also be temporary on some basic grounds. In that eventuality, it is to be treated as a mere suspension of the sentence for the time being, keeping the quantum of sentence intact. Release on parole is designed to afford some relief to the prisoners in certain specified exigencies. Such paroles are normally granted in certain situations, some of which may be as follows:

(i) a member of the prisoner's family has died or is seriously ill, or the prisoner himself is seriously ill; or

(ii) the marriage of the prisoner himself, his son, daughter, grandson, granddaughter, brother, sister, sister's son or daughter is to be celebrated; or

(iii) the temporary release of the prisoner is necessary for ploughing, sowing or harvesting, or carrying on any other

agricultural operation of his land or his father's undivided land actually in possession of the prisoner; or

(iv) it is desirable to do so for any other sufficient cause;

(v) parole can be granted only after a portion of the sentence is already served;

(vi) if conditions of parole are not abided by the parolee, he may be returned to serve his sentence in prison, such conditions may be such as those of committing a new offence; and

(vii) Parole may also be granted on the basis of aspects related to the health of the convict himself.

13. Learned counsel has also relied upon Rule 3 of ***U.P. (Suspension Of Sentence Of Prisoners) Rules, 2007***. The same is reproduced hereinunder.

"3. Power to suspend sentence.- (1) The Government may suspend the sentences of a prisoner up to one month on following grounds :

(a) illness of prisoner's parents, husband or wife, son, daughter, brother or sister, or

(b) death of any one of the relative mentioned in sub-clause (a), or

(c) marriage of son, daughter, brother or sister;

(d) for sowing or harvesting of agricultural crops on his own land provided no other alternative arrangement for the same is available;

(e) for the essential repair of his house, provided no other alternative arrangement for the same is available.

(2) The Government may, in special circumstances, extend the period of suspension of sentence referred to in sub-rules (1) for a period not exceeding one month."

14. Learned State Counsel through his counter affidavit submitted the detailed health report of the petitioner/convict; some parts of the detailed health report are being reproduced below.

“बन्दी को फालोअप/उपचार हेतु दिनांक-27.01.2025 को एस०जी०पी०जी०आई० लखनऊ भेजा गया था जहां पर हृदय रोग विशेषज्ञ

द्वारा बन्दी का परीक्षण किया गया एवं परीक्षणोपरान्त उपचार परामर्शित करते हुए 06 माह बाद पुनः फालोअप हेतु बुलाया गया है (छायाप्रति सलग्र)। दिनांक-27.01.2025 को बन्दी को यूरोलॉजी विभाग में भी दिखलाया गया एवं यूरोलॉजी विभाग के विशेषज्ञ के परामर्श पर Uroflowmetry Test, PVR, CECT Abd. with CT Urography, Urine RM, Urine Culture and Sensitivity, KFT, Hb. and TLC जांच करायी गयी। CECT Abd. with CT Urography में विशेषज्ञ द्वारा F/S/O of Cystitis अंकित किया गया है (छायाप्रति सलग्र)। जांच रिपोर्ट के साथ पुनः दिनांक-03.02. 2025 को यूरोलॉजी विभाग के विशेषज्ञ से फालोअप कराया गया। यूरोलॉजी विभाग के विशेषज्ञ द्वारा उपचार परामर्शित करते हुए 06 सप्ताह बाद पुनः दिखलाये जाने का सलाह दिया गया है (छायाप्रति सलग्र)। बन्दी को पुनः SGPGIMS Lucknow भेजकर फालोअप कराये जाने हेतु दिनांक-05.06.2025 एवं दिनांक-28.06.2025 को पुनः लिखते हुए पुलिस बल की मांग की गयी परन्तु पुलिस बल उपलब्ध नहीं होने के कारण बन्दी को फालोअप हेतु SGPGIMS Lucknow नहीं भेजा जा सका है। दिनांक-13. 11.2025 को बन्दी को कारागार चिकित्सालय में बुलाकर अधोहस्ताक्षरी द्वारा स्वास्थ्य परीक्षण किया गया, स्वास्थ्य परीक्षण में बन्दी द्वारा कोई भी Fresh Complaint नहीं की गयी है। बन्दी को SGPGIMS Lucknow के विशेषज्ञ द्वारा परामर्शित उपचार को नियमित लेते रहने की सलाह देते हुए कारागार चिकित्सालय से विशेषज्ञ द्वारा परामर्शित उपचार उपलब्ध कराया जा रहा है एवं पुनः SGPGIMS Lucknow भेजकर फालोअप कराये जाने हेतु संदर्भित किया गया है। वर्तमान में बन्दी का स्वास्थ्य स्थिर है।"

15. From a perusal of record, it is apparent that the petitioner/convict is in good health, hence, we do not find any substance in the petitioner's claim. However, the jail authorities is directed to take necessary steps considering the health of the petitioner.

16. As regards Criminal Misc. Writ Petition No.848 of 2026, which has been filed challenging the order dated 27.10.2025 passed by the District Magistrate, Azamgarh whereby the second representation moved on behalf of petitioner dated 05.07.2025 was rejected, it transpires from the record that learned State Counsel in his counter affidavit submitted that in the second representation, parole was prayed mainly on two grounds: (i) to complete Agricultural work, (ii) to fix the marriage of his son and daughter. However, it has been submitted by learned State Counsel that there is no provision for parole based on "arranging the

marriage of a son or daughter" under the U.P. (Suspension Of Sentence Of Prisoners) Rules, 2007, Rule 3.

17. From a perusal of U.P. (Suspension Of Sentence Of Prisoners) Rules, 2007, especially Rule 3, we find substance in the argument of learned State Counsel, as under Rule 3 of U.P. (Suspension of Sentence Of Prisoners) Rules, 2007, there is no provision for such an arrangement.

18. With regard to another contention of the counsel for the petitioner, that is, parole to complete the Agricultural work. Although there is a provision for such an arrangement made under U.P. (Suspension Of Sentence Of Prisoners) Rules, 2007, Rule 3(d), that says that “*for sowing or harvesting of agricultural crops on his own land, provided no other alternative arrangement for the same is available*”; but from perusal of said rule, it is also clear that if no other alternative arrangement for the same is present, but in the present case the petitioner has three sons, namely, Santosh Yadav (50 years), Alok Yadav (45 years), and Amar Yadav (30 years). Therefore, it can be concluded that the petitioner has sufficient means for other alternative arrangements for agricultural work. Hence, we do not find any substance in this argument.

19. It is pertinent here to mention the case of **Asfaq Vs. State of Rajasthan (supra)**, wherein the Apex court has clearly used a “tone of caution” while granting parole in such cases. The relevant para is being reproduced below.

"20) Thus, not all people in prison are appropriate for the

grant of furlough or parole. Obviously, society must isolate those who show patterns of preying upon victims. Yet administrators ought to encourage those offenders who demonstrate a commitment to reconcile with society and whose behaviour shows that aspire to live as law-abiding citizens. Thus, the parole program should be used as a tool to shape such adjustments.

21) To sum up, in introducing penal reforms, the State that runs the administration on behalf of the society and for the benefit of the society at large cannot be unmindful of safeguarding the legitimate rights of the citizens in regard to their security in the matters of life and liberty. It is for this reason that in introducing such reforms, the authorities cannot be oblivious of the obligation to the society to render it immune from those who are prone to criminal tendencies and have proved their susceptibility to indulge in criminal activities by being found guilty (by a Court) of having perpetrated a criminal act. One of the discernible purposes of imposing the penalty of imprisonment is to render the society immune from the criminal for a specified period. It is, therefore, understandable that while meting out humane treatment to the convicts, care has to be taken to ensure that kindness to the convicts does not result in cruelty to the society. Naturally enough, the authorities would be anxious to ensure that the convict who is released on furlough does not seize the opportunity to commit another crime when he is at large for the time-being under the furlough leave granted to him by way of a measure of penal reform.

22) Another vital aspect that needs to be discussed is as to whether there can be any presumption that a person who is convicted of serious or heinous crime is to be, ipso facto, treated as a hardened criminal. Hardened criminal would be a person for whom it has become a habit or way of life and such a person would necessarily tend to commit crimes again and again. Obviously, if a person has committed a serious offence for which he is convicted, but at the same time it is also found that it is the only crime he has committed, he cannot be categorised as a hardened criminal. In his case consideration should be as to whether he is showing the signs to reform himself and become a good citizen or there are circumstances which would indicate that he has a tendency to commit the crime again or that he would be a threat to the society. Mere nature of the offence committed by him should not be a factor to deny the parole outrightly. Wherever a person convicted has suffered incarceration for a long time, he can be granted temporary parole, irrespective of the nature of offence for which he was sentenced. We may hasten to put a rider here, viz. in those cases where a person has been convicted for committing a serious offence, the competent authority, while examining such cases, can be well advised to have stricter standards in mind while judging their cases on the parameters

of god conduct, habitual offender or while judging whether he could be considered highly dangerous or prejudicial to the public peace and tranquillity etc."

20. Furthermore, Rule 1(4)(c) of Uttar Pradesh (Suspension of Sentence of Prisoners) Rules, 2007 is relevant and is being reproduced hereinunder.

"(4) These rules shall apply to the prisoners convicted by the courts in Uttar Pradesh for the offence to which the executive power of the State extends whether confined in Jail within the State of Uttar Pradesh or outside the state but do not apply to, -

(a) x x x x x

(b) x x x x x

(c) The prisoners against whom any other criminal case is pending before any court."

21. From a perusal of the record, it appears that the petitioner/convict is having long list of criminal cases and has been convicted in two of them, i.e. in Case Crime No.835 of 1995 under Sections 147,148,149,302 I.P.C, Police Station- Hajratganj, District- Lucknow, and in Case Crime No.511 of 2016, under Sections 302/120-B I.P.C., Police Station- Sidhari, District Azamgarh, which are in very serious nature. With regard to Rule 1(4)(c) of Uttar Pradesh (Suspension of Sentence of Prisoners) Rules, 2007, it is pertinent to note here that nine criminal cases are pending against the petitioner, which has been specifically explained in Annexure No.3 to the instant petition.

22. Keeping in view the aforesaid, it cannot be said that the authorities have not taken into account relevant considerations while rejecting the request for parole made on behalf of petitioner. We, therefore, are of the

opinion that it is not a fit case for the grant of parole to the petitioner, particularly, at this stage.

23. Before parting with, I acknowledge the assistance of Mr. Saurabh Singh, Research Associate, who assisted the Court relating to the present case.

24. These petitions are, accordingly, **dismissed**.

March 19, 2026
Anand

(Rajeev Bharti, J.) (Rajesh Singh Chauhan, J.)