NC: 2023:KHC:29329
WP No. 17714 of 2023

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 18TH DAY OF AUGUST, 2023

BEFORE

THE HON'BLE MR JUSTICE KRISHNA S DIXIT

WRIT PETITION NO. 17714 OF 2023 (GM-POLICE)

BETWEEN:

FATHIMA,
W/O. LATE PYAREJAN,
AGED ABOUT 63 YEARS,
R/AT NO. 44, 7TH CROSS,
S.R. NAGAR, ADUGODI,
BANGALORE-560 030.

...PETITIONER

(BY SRI. DEVENDRA E H.,ADVOCATE)

AND:

1. THE STATE OF KARNATAKA
   REPRESENTED BY ITS SECRETARY,
   DEPARTMENT OF HOME,
   VIDHANA SOUDHA,
   BENGALURU-560 001.

2. CHIEF SUPERINTENDENT OF POLICE
   CENTRAL PRISON, PARAPANA AGRAHARA,
   ELECTRONIC CITY POST,
   BANGALORE-560 100.

3. THE STATION HOUSE OFFICER
   ADUGODI POLICE STATION,
   ADDRESS WJQ6 PLUS M3V, HOSUR ROAD,
   ADUGODI POLICE QUARTERS, ADUGODI,
   BANGALORE-560 030.

...RESPONDENTS

(BY SRI.MANJUNATH K.,HCGP)

Digitally signed by SHARADA VANI B
Location: HIGH COURT OF KARNATAKA

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO DIRECTING THE R-2 TO CONSIDER THE REPRESENTATION OF THE PETITIONER DTD 01.08.2023 AND TO RELEASE THE DETENUE SADIQ AHEMMED ON PAROLE FOR A PERIOD OF 90 DAYS VIDE ANNX-B AND DIRECTING THE R-3 TO CONSIDER THE REPRESENTATION OF THE PETITOENR DTD 01.08.2023 AND TO RELEASE THE DETENUE SADIQ AHEMMED ON PAROLE FOR A PERIOD OF 90 DAYS VIDE ANNX-B1.

THIS PETITION COMING ON FOR ORDERS THIS DAY, THE COURT MADE THE FOLLOWING:

ORDER

The subject matter of this Writ Petition is substantially similar to the one in W.P.No. 8631/2023 between SRI. SHIVAPPA BELLAD vs. SUPERINTENDENT OF OPEN AIR PRISON & OTHERS, disposed off by this Court on 22.05.2023, wherein furlough / Parole was granted to the litigant therein because of the ailments of the ageing mother, as is the case herein too.

2. Learned counsel for the Petitioner justifiably argues that the Division Bench of this Court in W.A.Nos. 932-933/1974 between A.V.VINODA & ANOTHER Vs. STATE OF KARNATAKA BY ITS COMMISSIONER & SECRETARY disposed of on 11.12.1974, has held that the

Court should treat the like-cases alike and if relief is granted to a litigant it needs to be extended to similarly circumstanced litigants as well, there being no derogatory circumstances.

In view of the above, the Writ Petition is allowed; the 2nd Respondent is requested to grant Parole to Petitioner's son Sri.Sadiq Ahemmed CTP No.11646 for a period of ten days subject to all usual conditions & precautions. For which days parole is desired for, may be indicated by the Petitioner's son himself.

Costs made easy.

Sd/-
JUDGE

Bsv
List No.: 1 Sl No.: 21