

VERDICTUM.IN

1

ITEM NO.34

COURT NO.9

SECTION II

S U P R E M E C O U R T O F I N D I A R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (CrI.) No(s).10056/2022

(Arising out of impugned final judgment and order dated 07-05-2022 in DBCRWP No.200/2022 passed by the High Court of Judicature for Rajasthan at Jaipur)

VANDANA SHARMA & ANR.

Petitioner(s)

VERSUS

THE STATE OF RAJASTHAN & ORS.

Respondent(s)

(IA No.147930/2022-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.147929/2022-EXEMPTION FROM FILING O.T. and IA No.147932/2022-EXEMPTION FROM FILING AFFIDAVIT)

Date : 10-02-2023 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE J.K. MAHESHWARI

For Petitioner(s) Mr. Mohd. Irshad Hanif, AOR
Mr. Rizwan Ahmed, Adv.
Mr. Aarif Ali, Adv.
Mr. Pankaj Tiwari, Adv.
Mr. Mujahid Ahmad, Adv.

For Respondent(s) Mr. Vishal Meghwal, Adv.
Ms. Yashika Bum, Adv.
Mr. Milind Kumar, AOR

UPON hearing the counsel the Court made the following
O R D E R

1. Heard learned counsel for the parties and carefully perused the material placed on record.

2. The issue that arises for consideration is whether the petitioners are entitled to be released on parole as petitioner No.1 is required to take medical treatment to conceive a child. She is stated to be 45 years' old and her present husband - petitioner No.2 is around 40 years' old. The petitioners are life convicts and presently they are lodged in Open Air Camp, Durgapura, Jaipur, Rajasthan where they live together in a quarter. It is an

VERDICTUM.IN

2

open jail. Since petitioner No.1 is getting treatment from Geetanjali Medical College and Hospital, Udaipur, the authorities are ready and willing to shift the petitioners to open jail at Udaipur.

3. It goes without saying that if the petitioners pray for such transfer, appropriate orders shall be passed within two weeks.

4. As regard to parole, liberty is granted to the petitioners to apply for the same. The concerned authorities are directed to consider such a request made by the petitioners sympathetically and as per their policy and grant parole to them if there is no legal impediment. Needful shall be done within two weeks from the date of submission of such an application.

5. With these directions, the Special Leave Petition stands disposed of.

6. As a result, pending interlocutory applications also stand disposed of.

(SATISH KUMAR YADAV)
DEPUTY REGISTRAR

(PREETHI T.C.)
COURT MASTER (NSH)