



CNR: KAHC020119682026

NC: 2026:KHC-D:16033
WP No. 105612 of 2026

IN THE HIGH COURT OF KARNATAKA AT DHARWAD

DATED THIS THE 25TH DAY OF SEPTEMBER, 2026

BEFORE

THE HON'BLE MR. JUSTICE M.G.S. KAMAL

WRIT PETITION NO. 105612 OF 2026 (GM-RES)

BETWEEN:

1. SHRIDHAR S/O ARJUN TALAWAR,
CTP NO.4703, AGE. 23 YEARS,
R/O BHAIKARNATTI, TQ. MUDALAGI, DIST. BELAGAVI.
NOW AT. CENTRAL PRISON BELAGAVI.
2. SIDDAPPA @ PRIYANKA JAGAMUTTI,
CTP NO.4704, AGE. 23 YEARS,
R/O BHAIKARNATTI, TQ. MUDALAGI, DIST. BELAGAVI.
NOW AT. CENTRAL PRISON BELAGAVI.

...PETITIONERS

(BY SMT. SANA MUSTAQ HUKKERI, ADVOCATE)

AND:

1. STATE OF KARNATAKA,
DEPARTMENT OF HOME,
THROUGH ITS PRINCIPAL SECRETARY,
VIDHANA SOUDHA, BENGALURU 560001.
2. THE DIRECTOR GENERAL
KARNATAKA PRISON AND CORRECTIONAL SERVICE,
NO.9, SESHADRI ROAD, BENGALURU 560009.
3. THE CHIEF SUPERINTENDENT,
CENTRAL PRISON, BELAGAVI 591108.
4. THE SUPERINTENDENT OF POLICE,
BELAGAVI, DIST. BELAGAVI 590016.

...RESPONDENTS

(BY SRI. PRASHANTH V. MOGALI, HCGP)

THIS WRIT PETITION IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA, PRAYING TO ISSUE WRIT OF MANDAMUS OF ANY OTHER APPROPRIATE WRIT(S), ORDER(S) OR DIRECTION(S) AND THEREBY, IN THE INTEREST OF JUSTICE AND

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karnataka, dharwad bench
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EQUITY, IT IS PRAYED THAT RESPONDENT NO.03 BE DIRECTED TO ENLARGE/RELEASE THE PETITIONER NO. 01, SHRI SHRIDHAR ARJUN TALAWAR (CTP-4703) & P-2 SIDDAVVA @ PRIYANKA JAGAMATTI (CTP-4704), WHO ARE LODGED IN CENTRAL PRISON, BELAGAVI, OR ALTERNATIVELY GRANT THEM GENERAL PAROLE FOR A PERIOD OF 90 DAYS TO ENABLE THEM TO SOLEMNIZE THEIR MARRIAGE AND TO ATTEND TO THE SUBSEQUENT MARRIAGE RELATED CEREMONIES AND FUNCTIONS AND ETC.

THIS WP COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:
CORAM: HON'BLE MR. JUSTICE M.G.S. KAMAL

ORAL ORDER

1. Petitioners Nos.1 and 2 were accused of commission of offences punishable under Sections 302, 114, 120-B and 506 read with Section 34 of the Indian Penal Code and, having been held guilty, have been sentenced to undergo imprisonment for life. They are before this Court seeking grant of parole to get married.
2. The allegation against the petitioners was that they had conspired to eliminate the husband of petitioner No.2, which the prosecution successfully proved, resulting in their conviction as noted above.
3. The petitioners have now decided to get married, which was indeed the conspiracy theory proposed by the



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prosecution. This poses a moral question as to whether they are entitled to parole to get married when the accusation against them was that they had conspired to eliminate the husband of petitioner No.2.

4. However, legally, there is no such prohibition. Moral consciousness cannot overtake the legal entitlement to get married. The reason for seeking parole may also be logically and legally objected to. Nevertheless, the question has to be considered within the parameters of law governing grant of parole.
5. The custody certificates produced along with the memo indicate that the petitioners have undergone actual custody during the trial and post-conviction period for a period of 3 years, 5 months and 25 days. There is no adverse remark against either of the petitioners.
6. In the case of **Asfaq v. State of Rajasthan and Others** reported in **(2017) 15 SCC 55**, the Hon'ble Apex Court has held that amongst the various grounds on which parole can be granted, an important ground is that a



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WP No. 105612 of 2026**

prisoner should be allowed to maintain family and social ties. The Apex Court has further held that when reformation is recognized as one of the objectives behind sentence and punishment, it provides justification for letting off even life convicts for short periods on parole, in order to afford opportunities to such convicts not only to solve their personal and family problems but also to maintain their links with society. Such gestures on the part of the State, along with other measures, go a long way towards the redemption and rehabilitation of prisoners. They are ultimately aimed at the good of society and, therefore, are in public interest.

7. As held by the Apex Court, one of the acceptable reasons for grant of parole is to ensure that the convict gets an opportunity for rehabilitation and prepares for realignment with society.
8. The petitioners have decided to marry, which is a social obligation for orderly procreation of society. The right to marry, subject to law, cannot be denied merely on the



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basis of moral considerations when there is no statutory prohibition against the same.

9. Learned HCGP appearing for Respondent-State, on the other hand, submits that there is no provision under the Manual for granting parole on the ground of getting married.

10. This Court had also sought instructions from the learned HCGP as to whether the proposed marriage could be solemnized within the jail premises. Learned HCGP submits that the Manual does not permit solemnization of marriage within the jail premises.

11. In the circumstances of the present case, and having regard to the aforesaid position of law, the absence of any adverse remark against the petitioners, the period of custody undergone by them, and the fact that the proposed marriage cannot be solemnized within the jail premises, this Court, without being too technical, deems it appropriate to grant limited parole for one day.

12. Accordingly, the following:



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ORDER

- i. The petition is **allowed**.
- ii. The respondent-Jail Authority is directed to consider granting parole to the petitioners between 10.00 a.m. and 05.00 p.m. on the date chosen by the petitioners, subject to the date being convenient to the petitioners and as decided by the Jailer.
- iii. The petitioners shall be accompanied by an adequate number of police personnel to be deputed by the Jailer, who shall remain present during the marriage ceremony.
- iv. The petitioners shall be brought back to the jail by 05.00 p.m. on the said date.
- v. The order in this regard shall be passed within one week from the date of receipt of a copy of this order.

**Sd/-
(M.G.S. KAMAL)
JUDGE**