



CNR: KAHC020147842026

NC: 2026:KHC-D:16435
WP No. 106961 of 2026

IN THE HIGH COURT OF KARNATAKA AT DHARWAD

DATED THIS THE 5TH DAY OF OCTOBER, 2026

BEFORE

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

WRIT PETITION NO. 106961 OF 2026 (GM-RES)

BETWEEN:

MAHANTESH ANGADI S/O BASAVARAJ,
AGED ABOUT 37 YEARS,
BROTHER IN LAW OF CONVICT
SIDLINGAPPA @ MUDAKAPPA CTP 899
R/O. 36/2, SHIVANA GUDI ONI,
YENAGI, BELGAUM, KARNATAKA 591126.

...PETITIONER

(BY SRI. SIRAJUDDIN AHMED, ADVOCATE)

AND:

1. STATE OF KARNATAKA
HOME DEPARTMENT,
THROUGH PRINCIPAL SECRETARY,
VIDHANA SOUDHA, BENGALURU 560001.
2. CHIEF SUPERINTENDENT,
CENTRAL PRISON, BELAGAVI 591108.
3. SHO NESARGI P.S. KARNATAKA 59112.
[JURISDICTIONAL POLICE STATION]

...RESPONDENTS

(BY SRI. PRASHANT V. MOGALI, HCGP)

THIS WP IS FILED U/A 226 & 227 OF CONSTITUTION OF INDIA, PRAYING TO ISSUE WRIT OF MANDAMUS OR ANY OTHER APPROPRIATE WRIT(S), ORDER(S) OR DIRECTION(S) AND THEREBY, DIRECT R2 TO RELEASE THE PETITIONER'S BROTHER-IN-LAW SIDLINGAPPA @ MUDAKAPPA, CTP-899 ON GENERAL PAROLE FOR A PERIOD OF 90 DAYS IN ORDER TO RECOVER FROM STRESS AND EVIL EFFECTS OF CONTINUOUS LONG PERIOD OF INCARCERATION & TO MAINTAIN CONJUGAL RIGHTS AND TO GROW CROPS AND ETC.

THIS WP COMING ON FOR PRELIMINARY HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:



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CORAM: HON'BLE MR. JUSTICE M.G.S. KAMAL

ORAL ORDER

The petitioner, who has already undergone incarceration for 18 years and 6 months for the offences punishable under Section 302 read with Sections 114 and 149 of the IPC, pursuant to the judgment and sentence dated 16.12.2008 passed in S.C. No.28/2006 on the file of the Fast Track Court-II, Belagavi, had made an application seeking grant of general parole on 07.05.2026.

2. He was granted parole for a period of 30 days vide order dated 19.06.2026 and was directed to surrender on or before 20.07.2026. Thereafter, by an application dated 25.06.2026, the petitioner sought extension of parole for a further period of 30 days on the ground that the agricultural activities for which he had sought parole had not been completed. It was also stated that, as the other members of his family had also been convicted, there was no one except the petitioner to attend to the agricultural activities and, therefore, he required a further extension of 30 days.



3. By order dated 30.07.2026, his request for extension came to be rejected. A notice dated 15.07.2026 was also issued calling upon the petitioner to surrender on or before 20.07.2026 by 5:30 p.m. Being aggrieved, the petitioner is before this Court.

4. Learned counsel for the petitioner, referring to Section 640 of the Karnataka Prisons and Correctional Service Manual, 2021, submits that the petitioner was originally entitled to parole for a maximum period of 90 days and that he had indeed made an application 10 days before the expiry of the initial period of 30 days, as required under Section 642 of the Karnataka Prisons and Correctional Service Manual, 2021. He submits that, without advertent to the request made by the petitioner and without assigning any reasons, the respondent-authorities, by the impugned order dated 13.07.2026 at Annexure-D, have rejected his request.

5. He also refers to Section 636 of the Karnataka Prisons and Correctional Service Manual, 2021, to contend that the Manual itself provides for grant of parole and specifies the



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purposes for which parole may be granted. Since the petitioner has already undergone incarceration for 18 years and 6 months and there is no adverse remark even in the custody certificate issued by the authority, learned counsel submits that the respondent-authorities may be directed to reconsider the petitioner's application.

6. Learned HCGP, on the other hand, submits that the petitioner was granted parole for a period of 30 days and, upon considering his request for extension, the authorities found it inappropriate to grant any further extension. According to the information received by the authorities, the agricultural activities had already been completed and, therefore, the petitioner's continued stay outside the prison was not considered desirable. Hence, the request for extension came to be rejected.

7. Heard. Perused the records.

8. Sections 640 and 642 read as under:

"640. Maximum Period of General Parole and authority to grant general parole;



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- i. *General Parole shall be granted to the convict prisoner initially for a period of not exceeding 30 days which may be extended up to another 60 days but not exceeding total period of 90 days;*
- ii. *Director General of Prisons and Correctional Services should be competent authority to grant the General Parole."*

"642. Extension of Parole: If a prisoner released on general parole wants extension of the period he may apply before 10 days to the concerned Head of the Institution. If orders authorizing the extensions are not received before the expiry of parole release, the prisoner shall report back to the prison."

9. By order dated 19.06.2026, the petitioner was granted parole for a period of 30 days and was required to surrender on or before 20.07.2026. The petitioner had indeed made an application on 25.06.2026, which was well within the time prescribed under Section 642 of the Karnataka Prisons and Correctional Service Manual, 2021. Therefore, procedurally, there can be no error on the part of the petitioner in seeking extension of parole. The impugned order at Annexure-D, whereby the respondent-authorities have rejected the petitioner's request for extension, reads as under:



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“ಆದೇಶ

ವಿಷಯ: ಶಿಕ್ಷಾ ಬಂದಿಯ ಸಾಮಾನ್ಯ ಪೆರೋಲ್ ರಜೆಯ ಮೊದಲನೇ
ವಿಸ್ತರಣೆಯ ಮನವಿಯನ್ನು ತಿರಸ್ಕರಿಸುವ ಕುರಿತು.

- ಉಲ್ಲೇಖ:1. ನಿಮ್ಮ ಪತ್ರ ಸಂಖ್ಯೆ: ಕೇಕಾಬೆ/ಜೆಸಿ2/737/2026-27, ದಿನಾಂಕ:
26.05.2026.
2. ಈ ಕಛೇರಿ ಆದೇಶ ಸಮ ಸಂಖ್ಯೆ ದಿನಾಂಕ: 16.06.2026.
3. ನಿಮ್ಮ ಪತ್ರ ಸಂಖ್ಯೆ:ಕೇಕಾಬೆ/ಜೆಸಿ2/1306/2026-27, ದಿನಾಂಕ:
29.06.2026.

* * * *

ಮೇಲ್ಕಂಡ ವಿಷಯಕ್ಕೆ ಸಂಬಂಧಿಸಿದಂತೆ, ಉಲ್ಲೇಖಗಳ ಕಡೆಗೆ ನಿಮ್ಮ
ಗಮನವನ್ನು ಸೆಳೆದಿದೆ. ಶಿಕ್ಷಾ ಬಂದಿ ಸಂಖ್ಯೆ: 899, ಸಿದ್ಧಲಿಂಗಪ್ಪ ತಂದೆ
ಚಂದ್ರನಾಯ್ಕ ರೇವಣ್ಣನವರ ಈತನು ಸಾಮಾನ್ಯ ಪೆರೋಲ್ ರಜೆ ಮೊದಲನೇ
ವಿಸ್ತರಣೆಯನ್ನು ಕೋರಿ ಸಲ್ಲಿಸಿರುವ ಮನವಿಯನ್ನು ಉಲ್ಲೇಖ (3)ರ
ಪತ್ರದೊಂದಿಗೆ ಲಗತ್ತಿಸಿ, ಶಿಫಾರಸ್ಸಿನೊಂದಿಗೆ ಈ ಕಛೇರಿಗೆ ಸಲ್ಲಿಸಿರುತ್ತೀರಿ.

ಸದರಿ ಶಿಕ್ಷಾ ಬಂದಿಯು ಮೊದಲನೇ ಪೆರೋಲ್ ರಜೆ ವಿಸ್ತರಣೆಯನ್ನು
ಕೋರಿ ಸಲ್ಲಿಸಿರುವ ಮನವಿಯನ್ನು ತಿರಸ್ಕರಿಸಿದೆ.

ಸದರಿ ಶಿಕ್ಷಾ ಬಂದಿಯನ್ನು ತಕ್ಷಣ ಕಾರಾಗೃಹಕ್ಕೆ ಶರಣಾಗಿಸಿಕೊಳ್ಳಲು ಅಗತ್ಯ
ಕ್ರಮವಹಿಸಿ, ಕಾರಾಗೃಹಕ್ಕೆ ಶರಣಾದ ಬಗ್ಗೆ ಈ ಕಛೇರಿಗೆ ಹಾಗೂ
ಸಂಬಂಧಪಟ್ಟವರಿಗೆ ತಪ್ಪದೇ ಮಾಹಿತಿ ನೀಡಲು ಸೂಚಿಸಿದೆ.”

10. The order, as noted above, does not disclose any
reason for declining to grant extension of parole.

11. In the light of the aforesaid provisions providing for
parole for a maximum period of 90 days, and the petitioner
having made an application within the time prescribed under
Section 642 of the Karnataka Prisons and Correctional Service



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Manual, 2021, this Court deems it appropriate to quash the order dated 13.07.2026 at Annexure-D and remit the matter to respondent No.2 for reconsideration.

12. Respondent No.2 shall forward the file to the Director General, Office of Correctional Services, Karnataka State, Bengaluru, who shall consider the matter keeping in mind the objectives of parole enumerated under Section 636 of the Karnataka Prisons and Correctional Services Manual, 2021 and shall consider the petitioner's request for extension of parole for a further period of 30 days and pass appropriate orders within 15 days from the date of receipt of a certified copy of this order, subject to such conditions as may be imposed in accordance with law.

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

RSH / CT:VP
LIST NO.: 1 SL NO.: 4