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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-21827 of 2015

Date of Decision: November 27, 2015

Manvir Singh

.....Petitioner

Versus

U.T., Chandigarh and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Balkaran Singh, Legal Aid counsel
for the petitioner.

Mr. Sukant Guta, Advocate
for U.T., Chandigarh.

Mr. J.S. Sekhon, AAG Punjab.

SABINA, J.

On a request made by the petitioner to Superintendent Model Jail, Chandigarh for his transfer to Central Jail, Patiala, the same was ordered to be taken on the judicial side.

Notice was issued to State of Punjab as well as Union Territory, Chandigarh.

Heard.

As per the reply filed by State of Punjab, it has been prayed that the petitioner be not transferred to Central Jail, Patiala as the said Jail was already over crowded. It has further been prayed that the request made by the petitioner for his transfer from Model Jail,

Chandigarh to Central Jail, Patiala has been declined by Additional Director General of Police (Prisons), Punjab, Chandigarh vide order dated 19.08.2015.

The Union Territory, Chandigarh in its reply has also prayed for dismissal of the request made by the petitioner for his transfer from Model Jail, Chandigarh to Central Jail, Patiala.

During the pendency of the petition, the matter was taken up by Additional Director General of Police (Prisons), Punjab and the request made by the petitioner for his transfer from Model Jail, Chandigarh (U.T.) to Central Jail, Patiala (Punjab) was declined. The order dated 19.08.2015 reads as under:-

“The convict named Manvir Singh s/o Ravinderjit Singh, Model Jail Chandigarh (U.T) was convicted and sentenced to under life imprisonment and to pay a fine of Rs.27000/- and in default of payment thereof, to further undergo imprisonment of 9 months by the Court of Additional Sessions Judge, Chandigarh under Sections 376 (2) (G), 365, 366, 473, 506 IPC in FIR No.521 dated 28.09.2008, Police Station Sector 17, Chandigarh.

A written application of the convict for transfer from Model Jail Chandigarh (U.T) to Central Jail Patiala forwarded by the Inspector General of Prisons, U.T., Chandigarh vide letter No.875 dated 17.10.2014 to the Office of deponent, which was considered. In this

regards, report of the Superintendent, Central Jail Patiala was sought, as per report, Central Jail Patiala is already overcrowded. Moreover, it is also mentioned that the petitioner is resident of District Patiala. Therefore, there is apprehension of forming a gang with the help of other hardcore criminals inside the jail and may disturb the atmosphere of the jail. Therefore, the Superintendent Central Jail Patiala has expressed his unwillingness to transfer the convict in the jail.

Keeping in view the report of the Superintendent, Central Jail Patiala approval cannot be granted to transfer the convict Manvir Singh son of Ravinderjit Singh from Model Jail Chandigarh (U.T) to Central Jail Patiala (Punjab)."

Since in the present case, the request made by the petitioner has already been rejected by the concerned authority for his transfer from Model Jail, Chandigarh to Central Jail, Patiala, no ground for interference is made out.

Petition stands disposed of, accordingly.

(SABINA)
JUDGE

November 27, 2015
mahavir