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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(CRL) 1237/2015 & CrI.M.A.No.8966/2015

MOHD UMAR @ AMAN Petitioner

Through: Mr.M.S.Khan, Advocate.

versus

THE STATE (NCT) DELHI & ORS Respondent

Through:Mr.Rajesh Mahajan, ASC for the State.

S.I.Gopichand, P.S. Bhajanpura

CORAM:

HON'BLE MR. JUSTICE ASHUTOSH KUMAR

ORDER

% **13.07.2015**

The present petition was initially filed for issuance of writ directing the respondent to recover the son of the petitioner, namely, master Arsh from the illegal custody and detention at the hands of the respondents Nos. 5,6 & 7 and to produce him before the Court.

Other prayer in the writ petition was to grant protection to him in Rohini Jail as also during his transit from jail to the court for his appearance.

Later, during the course of arguments, the prayer of the petitioner was limited to seeking protection while in judicial custody. The prayer with regard to production of custody of child was dropped. Consequently by order dated 19.6.2015, respondents 5, 6 & 7 were deleted from the array of the parties.

Since the petition sans the prayer seeking release of the minor son does not remain a habeas corpus petition, it has been transferred to this Court.

Status report has been filed.

The petitioner has been made accused in FIR No.372/2015 (P.S.

Bhajan Pura) instituted under Sections 376/377/323/342/506 of the IPC.

On 2.6.2015, when the petitioner was taken from district jail Rohini to Karkardooma Courts, he was subjected to assault by the jail inmates. The petitioner, apart from approaching this Court under writ jurisdiction, also apprised the learned M.M. and sought protection from him. By order dated 6.6.2015, the learned M.M. directed the Jail Superintendent to ensure the security of the petitioner.

Mr.Mahajan, learned Additional Standing Counsel, submits that as per directions of the learned M.M., positive steps have been taken for the safety and security of the under trial prisoners during transit to jail from the Court. The guidelines of Delhi Police regarding security and safety of the under trial prisoners are being scrupulously followed. The I/C Escort staff escorting the petitioner in jail van are specifically briefed to keep a special watch on him. Similar arrangements including CCTV surveillance have been made in the lock ups and other places where there is a possibility of any untoward happening.

This Court is satisfied about the measures taken by the State to ensure the safety and protection of under trial prisoners in general and petitioner, in particular.

The petitioner has no other grievance to be redressed.

In that view of the matter, this petition as well as application has become infructuous.

The same are disposed of accordingly.

ASHUTOSH KUMAR, J

JULY 13, 2015

Bisht