

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-46018-2016

Date of decision: 01.04.2019

Pawan Kumar

...Petitioner

Versus

State of Haryana and ors.

...Respondents

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Krishan Singh, Advocate
for the petitioner.

Mr. Himmat Singh, DAG, Haryana.

ARVIND SINGH SANGWAN, J.

Prayer in this petition is for issuance of direction to the respondents to transfer the petitioner from District Jail, Gurugram to District Jail, Narnaul.

As per affidavit of Superintendent of Prison, District Prison, Narnaul, in which it is stated that as per guidelines issued by the Hon'ble Supreme Court vide order dated 06.05.2016 passed in *W.P. (Civil) No.406 of 2013 titled as Inhuman Conditions in 1382 Prisons in India Vs. Union of India and others* that all the States will reduce the overcrowding in overcrowded jails, which is 150% of the authorized capacity, the petitioner was transferred to District Prison, Gurugram on 28.05.2016 by the order of Director General of Prisons, Haryana. The detail of the prisoners in both the

jails at Gurugram and Narnail is also given and it is thus stated that the petitioner was transferred to District Prison, Gurugram, on account of the fact that directions of the Hon'ble Supreme Court are to be complied with.

In the reply filed by the Inspector General of Prisons, Haryana, a similar view has been taken, considering the fact that there is overcrowding in District Prison, Narnaul and the petitioner was transferred to District Prison, Gurugram.

Learned State counsel, on instructions from Assistant Superintendent of Prisons Rishipal Singh, District Prison, Narnaul, submits that a new jail is under construction at Rewari and case of the petitioner can be reconsidered after the new jail at Rewari becomes functional and some prisoners are transferred on their request.

In view of the above, this petition is disposed of. Liberty is granted to the petitioner to approach the Inspector General of Prisons, Haryana for redressal of his grievance.

[ARVIND SINGH SANGWAN]
JUDGE

01.04.2019
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Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No