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IN THE HIGH COURT OF DELHI AT NEW DELHI

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W.P. (Crl.) 827/2020

KARAN ALIAS KALYAN

..... Petitioner

Through: Tushar Sharma with Mr.Karan, Adv.

Versus

STATE (NCT OF DELHI)

..... Respondent

Through: Ms.Kamna Vohra, ASC.

CORAM:

HON'BLE MS. JUSTICE REKHA PALLI

ORDER

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20.05.2020

Crl.M.A. 6577/2020 (for exemption)

Allowed, subject to all just exceptions.

Crl.M.A. 6578/2020 (for exemption)

The petitioner shall file the affidavits and court fees within two weeks of the lockdown being lifted.

The application stands disposed of.

W.P. (Crl.) 827/2020

1. The present petition has been taken up for hearing through video conferencing.
2. Vide the present writ petition under Article 226 of the Constitution of India r/w Section 482 Cr.P.C., the petitioner seeks the following reliefs:-

“a. Issue the appropriate writ of Mandamus, or directions under Article 226 of the Constitution of India to ensure protection for

the petitioner lodged in Central Jail No.4, Rohini, New Delhi- 110085.

b. issue the appropriate directions to ensure supervised treatment to the Petitioner for the injuries sustained by him owing to the aforesaid attacks against him.

c. Issue appropriate direction to take appropriate preventive measures against the possible occurrences of such incidents in future.

d. Issue direction to retrieve the CCTV footage from the concerned Jail for the time period 24.04.2020-30.04.2020.”

3. Learned counsel for the petitioner submits that the petitioner is under trial in FIR No.0171/2019, P.S. Saket under Section 307 r/w Section 34 IPC registered on 22.04.2019 and is presently lodged in Central Jail 10, Rohini Delhi. He submits that the petitioner's family has recently learnt through one Mr.Mukesh, who was released from the same jail on 04.05.2020, that the petitioner is being threatened and ill-treated by another prison inmate namely one Shri Saddam Gori, in collusion with some jail officials, namely Shri Subhash, Shri Nitin Bhardwaj and Shri Naidu. In fact, they have beaten the petitioner up so severely in the past that he suffered grave injuries as a result thereof, for which he is neither being given any treatment nor the requisite protection.

4. Ms.Kamna Vohra, learned ASC, who appears on advance notice, opposes the petition and submits that there is nothing to support the bald allegations made therein.

5. Even though there is merit in Mr.Vohra's submission that the allegations levelled by the petitioner are wholly unsubstantiated, in the interest of justice the Jail Superintendent, Central Jail, Rohini is

directed to look into the petitioner's complaint and in case it is found that the petitioner was/is being ill-treated or harassed by Mr.Saddam Gori or any jail officer, appropriate action be taken against them and necessary protection and medical treatment be given to the petitioner.

6. The petition stands disposed of in the aforesaid terms.

7. A copy of this Order be sent to the Jail Superintendent, Rohini for compliance.

8. The order be uploaded on the website forthwith. Copy of the order be also forwarded to the learned counsel through email.

REKHA PALLI, J

MAY 20, 2020

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