

CRM-M-38140-2019

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

2023:PHHC:054104

CRM-M-38140-2019 (O&M)

Date of order: 11.04.2023

Lakhwinder Singh

...Petitioner(s)

Versus

Union Territory of Chandigarh & others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Pranav Chadha, Advocate (Legal Aid Counsel)
for the petitioner.

Mr. IPS Sabharwal, DAG, Punjab.

ANOOP CHITKARA, J. (Oral)

1. Seeking quashing/setting aside of letter dated 10.9.2018 (Annexure P-1), whereby it was recommended not to transfer the petitioner from Model Jail, Chandigarh to Central Jail Nabha and further direction to respondents to transfer from Model Jail, Chandigarh to Central Jail, Nabha, the petitioner has approached this Court under Section 482 CrPC.

2. After hearing the arguments addressed by learned counsel for the parties, this Court is of the view that it would be appropriate that the concerned officer i.e. Inspector General of Prisons, UT, Chandigarh, to whom communication dated 11.2.2019 *qua* the representation (Annexure P-3) was sent by the Superintendent, Model Jail, Chandigarh, takes a decision within one month from the date of receipt of a copy of this order. It is clarified that in case of rejection of said representation, the order so passed must be speaking and reasoned one and the same be communicated to the representationist as well as legal aid counsel appearing for the petitioner, without delay.

3. Liberty reserved to the petitioner to file fresh petition or to take other legal remedies, in case need arises, in accordance with the law.

4. It is clarified that there is no adjudication on merits. It is further clarified that this order shall not come in the way if the interrogation of the petitioner is required in any cognizable case.

5. *There would be no need for a certified copy of this order, and any Advocate for the Petitioner and State can download this order and other relevant particulars from the official web page of this court and attest it to be a true copy. The concerned officer can also verify its authenticity and may download and use the downloaded copy for immediate use.*

Petition is allowed to the extent mentioned above. All pending applications, if any, stand disposed.

(ANOOP CHITKARA)
JUDGE

April 11, 2023
AK

Whether speaking/reasoned	:	Yes
Whether reportable	:	No