

2023:PHHC:156204

260 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-22464-2022

Date of Decision : 06.12.2023

Sahil

...Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present: Mr. Sandeep Verma, Advocate for the petitioner.

Mr. Teevar Sharma, AAG, Punjab.

VINOD S. BHARDWAJ, J. (ORAL)

Primary prayer made in the present petition is that the father of the petitioner has been kept in solitary confinement at Central Jail, Bathinda which is violative of basic rights of father of the petitioner enshrined under Article 21 of the Constitution of India.

Reply by way of affidavit of Sh. N.D. Negi, Superintendent, Central Jail Bathinda dated 20.03.2023 had been filed.

State counsel submits that copy thereof had also been furnished to counsel for the petitioner.

In the aforesaid affidavit, it has been specifically stated by the Superintendent, Central Jail, Bathinda that the father of the petitioner has been lodged in a High Security Zone alongwith other high risk prisoners but is not kept in solitary confinement. His father is allowed to roam freely inside

the High Security Zone from the time the barrack is opened at sunrise till sunset. The relevant extract of the affidavit reads thus:

“4. That since his transfer to Central Jail Bathinda, the father of the petitioner has been lodged in a High Security Zone alongwith other high risk prisoners who have cases similar to the father of the petitioner including heavy recovery under NDPS Act, etc. That the father of petitioner has been lodged in barracks in the High Security Zone with other inmates and at no point of time was the father of petitioner lodged in solitary confinement. That the father of the petitioner is allowed to roam freely inside the High Security Zone from the time the barrack is opened at sunrise and is confined back in his barrack during lockup at sunset.

5. That it is humbly submitted that the father of the petitioner, since his lodging in Central Jail Bathinda, has had access to all the facilities available to any inmate lodged in this jail. There has been no discrimination against the father of the petitioner with respect to the facilities made available to him. That the only restriction being applied on him and all inmates lodged in High Security Zone is that they are not allowed to leave the Zone without proper security escort. This has been done for the safety and security of not only the inmates lodged in High Security Zone, but for all the inmates who have been lodged in jail in general.

6. That it is humbly submitted that the father of the petitioner has access to canteen facilities, PICS calling system, visits to gurudwara, temple, etc. That the father of the petitioner is allowed access to the Jail Library from where he can get issued any book available in the library. That father of the petitioner is allowed access to mulaqaats/visits from his family members/close friends. That fresh cooked meals are provided to him 2 times a day as per rules. That the food which is cooked in jail kitchen is inspected by jail medical officer and Superintendent Jail before its distribution to the jail inmates. That potable drinking water is available in the High Security Zone for the inmates. That to ensure that the high security zones remain decluttered, a list of items that prisoners

confined in high security zones can possess have been notified by the Additional Director General of Police, Prisons. This is applicable to all prisoners confined in high security zones across the State. The approved list of items for these prisoners contains the following:

- *Kurta pajama (white) 2 sets*
- *Coloured clothes 4 sets*
- *Undergarments 4 sets*
- *Towels 2 sets*
- *Bed sheets 2 sets*
- *Shoes 2 pairs*
- *Bathroom slippers 1 pair*
- *Clothes bag 1 piece*
- *Blanket (official) 2 piece*
- *Quilt (in winter) 1 piece*
- *Durrie 1 piece*
- *Socks 4 pairs*
- *Plate 1 piece*
- *Glass 2 pieces*
- *Spoons (plastic/wood) 2 pieces*
- *Tiffin box 1 set”*

State counsel has further shown the account ledger of father of the petitioner in relation to doing phone calls as also of the entry. As per the aforesaid ledger, there have been large number of withdrawals, payments as well as usage of the canteen facility by the father of the petitioner on as many as 1071 occasions since June, 2018 till December, 2023.

It is further submitted by the learned State counsel that there is no necessity for transferring the jail of father of the petitioner since he is being produced in the ongoing trial at Ludhiana through Video Conferencing.

No replication/rejoinder controverting the aforesaid averments has been filed by the petitioner even though the aforesaid affidavit was filed in

March, 2023.

In view of the above, no further orders are required to be passed in the present case.

The present petition is accordingly disposed of as having been rendered infructuous.

December 06, 2023

Ps/chugh

(VINOD S. BHARDWAJ)
JUDGE

<i>Whether speaking/ reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>