

CRM-M-44689-2023

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

113

CRM-M-44689-2023

Date of Decision: September 11, 2023

Rohit @ Kalia

.....Petitioner(s)

Vs.

State of Haryana and another

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Nirmal Singh, Advocate for the petitioner(s).

Mr. Gurmeet Singh, AAG, Haryana

ANOOP CHITKARA J. (ORAL)

Seeking transfer of custody from district jail Karnal to district jail, Gurugram in case FIR No.377 dated 16.10.2011 under Sections 186, 307, 333, 34, 353 IPC and sections 25-54-59 of Arms Act, registered at Police Station Palam Vihar, District Gurugram, the petitioner has come up before this court under Section 482 Cr.P.C.

2. To find out whether the instant petition is worth of issuing notice to the State counsel or not, this Court has heard petitioner's counsel and has also gone through the entire petition.

3. Counsel for the petitioner submits that there were multiple FIRs registered against the petitioner, out of which in 26 FIRs he was acquitted, in 4 FIRs he has also undergone his sentence and 3 FIRs are pending against him in Rewari. He further submits that his family is residing in Gurugram and his custody in district jail Karnal causing hardship to meet his family members, as such, he seeks transfer of his custody from Karnal Jail to Gurugram Jail, as trial is pending there.

CRM-M-44689-2023

--2--

4. After hearing counsel for the petitioner and gone through the entire record, primarily it is for the executive to keep prisoners in the prisons according to administrative policies, factors like over-crowding, the risk of escape, other kind of prisoners and so many other factors, which need not to be highlighted. The reasons given in the petition do not even are worth to issue notice to the State because even on its face, there is neither any violation of any Prison Rule nor of any Fundamental Rights.

5. Given above, the present petition is dismissed at initial stage itself. All pending applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

September 11, 2023
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Whether speaking/reasoned:	Yes/No
Whether reportable:	No