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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(CRL) 304/2024**

DHARAM NARAYAN GAUTAM

..... Petitioner

Through: Mr. Vishal Gosain, Ms. Rudrani
Tyagi and Mr. Praney Sharma,
Advocates.

versus

STATE THROUGH ECONOMIC OFFENCES WING & ANR.

..... Respondents

Through: Mr. Sanjay Lao, Standing Counsel
(Criminal) for the State with Ms.
Priyam Agarwal, Mr. Shivesh
Kaushik and Mr. Abhinav Kr. Arya,
Advocates with SI Lalit Kumar,
P.S.:EOW with Mr. Parshant Verma,
Legal Officer/Tihar Jail.

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

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04.04.2024

CRL.M.A. 2793/2024 (Exemption)

1. Exemption allowed, subject to all just exceptions.
2. The application is disposed of.

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3. Learned Standing Counsel appearing on behalf of State has placed before this Court status report dated 03.04.2024, which is accompanied by Inquiry report dated 16.02.2024 from Office of Director General (Prisons), Janakpuri, New Delhi.



4. The status report records that Shri Rajesh Chopra, Deputy Inspector General (Prisons) had ordered an inquiry on 08.02.2024, wherein it has been concluded that the lapse occurred due to negligence of jail staff *viz.* (1) Shri Dhananjay Rawat, Deputy Superintendent (2) Shri Naveen Maan, Assistant Superintendent and (3) Shri Rohit, Warder 1343.
5. After acceptance of the inquiry report, directions to initiate departmental action against the delinquent jail officers has been issued *vide* order No. F. 10(003763274)/CJ/Legal/2024 dated 03.04.2024.
6. Also, on directions of Director General (Prisons), special workshop was organised on 26.02.2024 and 27.02.2024 which was attended by all ranks ranging from Superintendents to Warders, wherein the literal and legal meaning of custody warrants, productions warrants and release warrants *vis-a-vis* the court orders, provisions of Cr.P.C and Prison Rules relating to the subject, were also discussed and deliberated. Circulars and Standing Orders issued in past in this regard were also reiterated.
7. It is averred that workshops on the issues of prime importance, including that of release matters, will be organised on regular basis to ensure that such lapses do not recur in future. Also, apart from the above, Prison Administration has also taken up the issue of improvement in e-prison software with NIC to include custody warrants/productions warrants/release warrants and their methodology for necessary disposal.
8. In light of the fact that in compliance of order of this Court dated 29.01.2024, Deputy Inspector General (Prisons) has initiated inquiry and departmental action against the erring officers, who had defaulted to release the petitioner on bail despite Court orders, this Court finds that nothing survives for further consideration in the present petition.



9. This petition is accordingly disposed of while making it clear that the DG (Prison) shall take all the requisite steps to ensure that no such incident occurs against.

SURESH KUMAR KAIT, J

MANOJ JAIN, J

APRIL 4, 2024/uk