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

+ **W.P.(CRL) 1087/2024**

SUKASH CHANDRASHEKHAR @ SUKESH Petitioner

Through: **Mr. Anant Malik and Ms. Snigdha Singhi, Advocates**

versus

STATE GOVT NCT OF DELHI THROUGH DG PRISONS

& ANR. Respondents

Through: **Mr. Sanjeev Bhandari, ASC for State with Ms. Anvita Bhandari, Mr. Kunal Mittal, Mr. Arjit Sharma & Mr. Vaibhav Vats, Advocates with Inspector Rakesh Raushan, P.S. EOW.**

CORAM:
HON'BLE MS. JUSTICE SWARANA KANTA SHARMA

ORDER
16.04.2024

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CRL.M.A. 11518/2024 (for early hearing)

1. The instant application under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') has been filed on behalf of petitioner seeking early hearing of the present petition.
2. For the reasons mentioned in the application, the same stands allowed.
3. Application stands disposed of.

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4. The instant petition under Article 226/227 of the Constitution of India



read with Section 482 of Cr.P.C. seeking following prayers:

“...1. Direct the Respondent No.1 to decide the representation of the Petitioner dated 9.3.2024 and transfer the said official Mr Dhananjay Rawat from Jail No. 13 Mandoli in the interest of free and fair investigation.

2. Direct the Respondent/ Jail Officials not to transfer the present Applicant from Jail No.13, Mandoli to any other jail owing to his serious medical condition and that he is protected under Rule 667(1) of Delhi Prison Rules, 2018...”

5. Learned counsel for the petitioner states that he will not press prayer no. 2 in this case and prayer no. 1 may be decided by the concerned competent authority.

6. The representation of the petitioner be decided within 15 days by the concerned competent authority under intimation to the petitioner.

7. It is clarified that this Court is not directing transfer of any official in this order which will be decided on the basis of free and fair inquiry as per law and jail rules.

8. This is also clarified that this Court is not expressing its opinion on the merits of the present case which will be as stated above will be decided independently by the competent authority.

9. In view of prayers being answered, the present petition stands disposed of.

10. Next date of hearing i.e. 02.08.2024 stands cancelled.

11. The order be uploaded on the website forthwith.

SWARANA KANTA SHARMA, J

APRIL 16, 2024/zp

Click here to check corrigendum, if any