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

+ **W.P.(CRL) 1878/2024**

HAPPY @ HITESH

.....Petitioner

Through: Mr. Shivanshu Bhardwaj, Mr. Rajiv Singh and Mr. Mridul Gaur, Advocates.

versus

STATE OF NCT OF DELHI AND ORS.

.....Respondents

Through: Mr. Anand V. Kahtri, ASC for the State.
SI Gaurav, PS Hari Nagar.

CORAM:

HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER

04.07.2024

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1. Petitioner has approached this Court with the following prayers:

“(a) To order immediate transfer of the Petitioner to a jail/ complex where there is no threat to his life; and/ or

(b) To order that the concerned Respondents shall provide adequate security to the Petitioner; and/ or

(c) To direct the concerned Respondents to ensure that the Petitioner is given adequate medical treatment for the injuries suffered by him; and/ or

To pass such other and further order, which this Hon'ble Court deem fit and proper in the existing facts and circumstances of the case.”

W.P.(CRL) 1878/2024

Page 1 of 3



2. On 19.06.2024, this Court passed the following order:

“1. The present petition has filed by the petitioner under Article 226 & 227 of the Constitution of India read with Section 482 of Cr.P.C.

2. Presently, the petitioner is lodged in Jail No. 3, Central Jail, Tihar. The foremost prayer is that he may be transferred and shifted to some other jail in Delhi as he apprehends threat to his life in Tihar.

3. Learned ASC has filed Status Report.

4. The same is taken on record.

5. During the course of hearing, learned ASC has apprised that the request made by the petitioner, seeking his transfer to other jail, shall be duly considered by the Transfer Committee and in the meanwhile it shall also be ensured that there is no threat to the safety and security of the petitioner while lodged in Tihar or for that matter, while he is taken to the Courts for the purposes of attending Court hearings.

6. Keeping in mind, the nature of the urgency involved, let the matter be considered by the Transfer Committee within one week from today and the report thereof be placed before this Court by the next date of hearing.

7. List on 04.07.2024.

8. Superintendent of Jail shall also, in the interregnum, ensure about safety and security of the petitioner and would also ensure that, wherever so required, he gets immediate medical attention.”

3. In compliance of the said Order, a Report has been filed by the jail



authorities. Relevant portions of the said report reads as under:

“Hon'ble Sir, This is in reference with order dated: 19.06.2024 received vide endorsement No.41318 Crl. Dated 20.06.2024, wherein the Hon'ble Court directed to transfer the above mentioned inmate from Central Jail No-03, Tihar to another jail and file a report regarding the same.

In this regards it is submitted that in compliance to the Hon'ble court order the inmate Hitesh @ Happy S/o Harbir Singh has been transferred to Central Jail No-01, Tihar from this jail on 28.06.2024 by the orders of Competent Authority/Prison Headquarters vide order no.F.No.10(003773651)/CJ/PHQ/2024/4999-03 Dated: 26.06.2024. (Copy of the same is enclosed herewith]

Submitted for kind information and perusal of this Hon'ble court Please.”

4. A perusal of the abovementioned report shows that the Petitioner has been transferred to Central Jail No.01, Tihar from Central Jail No.3, Tihar.
5. In view of the above, nothing survives in the present Writ Petition.
6. Accordingly, the Writ Petition is disposed of along with the pending applications, if any.

SUBRAMONIUM PRASAD, J

JULY 04, 2024
Rahul