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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ W.P.(CRL) 2232/2024 & CRL.M.A. 21832/2024, CRL.M.A.
21833/2024, CRL.M.A. 23289/2024 & CRL.M.A. 23290/2024
ADITYA KRISHNAPetitioner

Through:

versus

STATE NCT OF DELHI AND ORS.Respondents

Through: Mr. Yasir Rauf Ansari, ASC for the
State with Mr. Alok Sharma, Mr. Vasu
Agarwal, Advocates
Mr. Amit Tiwari, CGSC with
Mr. Shaurya Rai, GP, Mr. Priyansh,
Mr. Chetanya Puri, Mr. Rahul,
Advocates for UOI
Mr. Manish Jain, Special Counsel ED
along with Mr. Sougata Ganguly and
Ms. Snehal Sharda, Advocates for R-
2.

CORAM:
HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

ORDER
23.08.2024

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

“a) Issue appropriate writ/direction and to initiate inquiry against the wrong doer(s)/ delinquent police official(s) of Tihar jail no. 8 where the applicant is lodged in subject FIR no. 59/2024 registered at Crime Branch and ECIR no. ECIR/DLZO-II/03/2024 Registered at Enforcement Directorate.

b) Any other relief which this Hon'ble may deem fit



according the facts and circumstances of the present case.”

2. This Court on 26.07.2024 had issued notice in the petition and directed the jail authorities to file a status report. In terms of the Order dated 26.07.2024, the jail authorities has filed the Status Report which reads as under:

“1. This is in reference to the order dated 26.07.2024 passed by this Hon'ble Court in subject cited case, wherein it was directed to file status report qua the injuries suffered by the petitioner / inmate.

2. In this regard it is submitted that the order dated 26.07.2024 passed by this Hon'ble Court was received in the late evening of 30.07.2024 and upon receipt of the same, the same was immediately forwarded to the Senior Medical Officer of this jail for immediate compliance. The latest medical report submitted by Medical Officer in-charge of this Jail is enclosed herewith as Annexure A-1.

3. That with respect to the beating incident dated 20.07.2024 when the petitioner was brought to the court production, it is submitted that this office has not received any Kalandra / DD entry with respect to incident from Lock up incharge, Tis Hazari Court, Delhi.

4. That with regard to non-compliance of direction dated 26.07.2024 passed by this Hon'ble Court, in this regard it is respectfully submitted that this office had received a production warrant on 30.07.2024 issued by the Court of Ms. Ambika Singh, Ld. ASJ-02 (West), Tis Hazari Court in case FIR No.59/2024, U/s 274/275/276/308/406/420/468/471 IPC, PS Crime Branch with the direction "Jail superintendent



concerned is directed to produced the above said accused persons at FSL Rohini on 01.08.2024 at 10AM without fail and file compliance report in the court"

4. That on the same date 01.08.2024, the petitioner /accused was also directed to be produced before the Hon'ble Court of Sh. Vijay Shankar, Ld. ASJ-04 (West), Tis Hazari Court, Delhi in FIR No. ECIR/DLZO-II/03/2024 titled as DoE Vs Viphal Jain & Ors.

5. That in compliance of the aforesaid order/s and keeping in view the directions passed by this Hon'ble Court, on 01.08.2024, the DCP, Nyayik Abhirakhsa Vahini, 3rd Bn and the escorting staff was duly informed about the beating incident dated 20.07.2024 and the directions passed by this Hon'ble Court vide order dated 26.07.2024 in subject cited matter. Thus, in compliance of the same the escorting staff of DCP, Nyayik Abhirakhsa Vahini, 3rd Bn had lodged & produced the petitioner separately before FSL Rohini and thereafter the petitioner was produced before the Hon'ble Court of Sh. Vijay Shankar, Ld. ASJ-04 (West), Tis Hazati Court, Delhi, where also he was taken and lodged separately from other inmates. The said fact was also verified from the petitioner and the copy of the said written request confirming the same is enclosed herewith as Annexure A-2.

6. That only due to production of the accused before the FSL, Rohini, the petitioner was sent physically on 01.08.2024. Further, in compliance of the directions of this Hon'ble Court, the petitioner / accused will be produced virtually for court hearings.

Thus, in view of the above stated facts and circumstances, the production of petitioner physically on 01.08.2024 was neither willful nor intentional but for the reason stated above and therefore prayed that



the contempt proceedings shall not be initiated against the undersigned, in the interest of justice.”

3. In view of the above, no further Orders are required to be passed by this Court.
4. The Jail Authorities are directed to be more vigilant and ensure the safety of the Petitioner. The Petitioner is also directed not to engage in any fight unnecessarily.
5. Learned Counsel appearing for the Petitioner states that the Petitioner is apprehending danger to his safety. The Petitioner is permitted to file an appropriate application before the authorities for shifting the jail which shall be considered by the authorities in accordance with law.
6. With these observations, the petition is disposed of, along with pending application(s), if any.

SUBRAMONIUM PRASAD, J

AUGUST 23, 2024

S. Zakir