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

+ **W.P.(CRL) 1337/2024**

VIDHYA BHUSHAN @ SASHI BHUSHANPetitioner

Through: **Mr. Siddharth Yadav, Advocate.**

versus

STATE (NCT OF DELHI)Respondent

Through: **Ms. Rupali Bandhopadhyaya, ASC with
Mr. Abhijeet Kumar and Ms. Amisha
Gupta, Advocates.
Mr. Utkarsh, APP for the State.**

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER

% **22.09.2025**

1. Writ Petition under Article 226 of the Constitution of India read with Section 482 of the Code of Criminal Procedure, 1973, has been filed on behalf of the Petitioner to challenge the Punishment Ticket dated 10.06.2023, issued by the Respondent to the Petitioner in FIR No. 169/2011 under Section 302 of the Indian Penal Code, 1860 (*hereinafter referred to as 'IPC'*) and Section 25/27 of the Arms Act, registered at Police Station Aman Vihar.

2. It is submitted that the Petitioner is undergoing Sentence of Life Imprisonment in the said FIR. A Punishment Ticket dated 10.06.2023, was issued to the Petitioner wherein it was stated that small amount of tobacco was recovered from his possession. It is wrongly stated as the Petitioner himself was beaten and punched on forehead by the inmates despite which he has been given a Punishment Ticket for a fight in which he himself got



injured.

3. The Punishment Ticket is **sought to be quashed on the grounds** that the Punishment Ticket is perverse and unsustainable in law. The Petitioner did not carry any Tobacco; rather he himself was beaten and punched by the co-jail inmates. No Notice was issued to the Petitioner to submit his Reply and he was not afforded any opportunity. It is violative of principles of Natural Justice. The Petitioner had just returned from Furlough when he was thoroughly scanned and searched by the Jail Authorities while entering into the Jail premises. There is no opportunity for him to bring any loose Tobacco. He has been falsely implicated in the present Case. Hence, the Punishment Ticket dated 10.06.2023, be quashed.

4. **Status Report** has been filed on behalf of the Respondent wherein it is submitted that on 10.06.2023, during the afternoon Lockup period, the Petitioner had a fight with two other inmates, namely, Danish and Aslam. During the scuffle, the Petitioner received injury on his forehead. He was taken to Jail Dispensary for treatment. On searching the three inmates, the Duty Jail Officials recovered loose Tobacco from the possession of the Petitioner.

5. Accordingly, Punishment No. 41 dated 10.06.2023 was given to the Petitioner and to the other two convicts. Show Cause Notice under Rule 1272 of Delhi Prison Rules, 2018, was issued to the Petitioner *vide* No. 1619 dated 19.06.2023. He gave a written Reply wherein he failed to give any justifiable Reply for recovery of tobacco from him. He was punished with stoppage of Canteen Facility and Mulakat Facility for 15 days.

6. The Judicial Appraisal of the punishment was received from the learned Principal District and Sessions Judge (HQ) *vide* Letter No. 28690



dated 19.10.2023.

7. **Submissions heard and the record perused.**

8. The Petitioner had been found in possession of loose Tobacco. A show Cause Notice was given to him, to which he gave a Reply. The copy of the Reply to the Punishment Ticket dated 19.06.2023, has been placed on record wherein the Petitioner himself has admitted that someone has put loose tobacco in his pocket.

9. In view of the Reply of the Petitioner himself, there is no ground to set-aside the Punishment Ticket dated 10.06.2023.

10. The Petition along with the pending Applications, if any, is disposed of accordingly.

NEENA BANSAL KRISHNA, J

SEPTEMBER 22, 2025/RS