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

+ **W.P.(CRL) 3068/2023**

CHANDER PRAKASH

.....Petitioner

Through: Mr. Sanjeev Kr. Baliyan and Mr.
Nirbhay Sharma, Advocates.

versus

STATE OF GOVT. OF NCT OF DELHI

.....Respondent

Through: Mr. Rahul Tyagi, ASC with Mr.
Sangeet Sibou and Ms. Madhu Bala,
Advocates.
SI Rahul Rathi, PS: Sangam Vihar.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

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10.09.2025

1. The Petitioner, a convict in FIR No. 859/2004, P.S. Sangam Vihar, registered under Sections 302/201/24 of the Indian Penal Code, 1860 and Sections 25/54/59 of the Arms Act, 1959, is currently serving life sentence in Central Jail No. 3, Tihar, New Delhi. He has filed the instant petition under Article 226 of the Constitution of India, 1950 read with Section 482 of the Code of Criminal Procedure, 1973¹ seeking the following prayers:

“a. Issue a writ in the nature of Certiorari to requisition whole medical record of the petitioner till date from Jail Superintendent CJ-03; and or

b. Quash the punishment tickets dated 02.03.2008, 30.05.2008, 06.11.2008, 11.06.2006, 30.07.2009, 15.09.2009, 12.04.2010, 27.04.2010, 23.05.2011, 18.01.2012, 31.05.2013, 02.04.2014, 06.12.2014 and 12.12.2014 being contrary to Rule 1855 of Delhi Prison Rules, 2018; and or

¹ “Cr.P.C.”



c. Club the present Writ Petition with WP (Crl.) 1794/2023 and be pleased to expeditiously dispose off the said Writ Petitions;”

2. A perusal of the prayer clause makes it evident that the Petitioner has sought to challenge punishment tickets issued between the years 2006 and 2014. However, the present writ petition has been filed only in the year 2023, after inordinate delay. Counsel for the Petitioner submits that the delay in approaching the Court is attributable to the Petitioner’s long-standing medical and psychological issues, allegedly persisting during the period between 2008 and 2014. It is submitted that these health issues were acknowledged from time to time by the jail authorities, as well as by the concerned District and Sessions Judge. Counsel further states that in 2008, an application was made before the Jail Superintendent for the assignment of any prison labour to the Petitioner, which was referred to the competent authority by letter dated 1st July, 2008, but no rehabilitative steps were taken thereafter.

3. It is also submitted that the Petitioner’s mental instability became apparent from the fact that he went on hunger strike on 2nd March, 2008, which has also allegedly not been taken into account by the jail administration. The Petitioner was thereafter issued punishment tickets for various infractions, including attempting suicide, minor physical altercation with a co-inmate, use of unparliamentary language, and possession of loose tobacco. Counsel submits that these acts were a consequence of his untreated mental health issues, and therefore, the punishment tickets issued pursuant to such acts ought to be set aside.

4. Considering the nature of the reliefs sought, this Court, *vide* order dated 18th October 2023, had directed the State to file a status report. In



compliance, the status report filed on record reveals that the Petitioner consistently exhibited unruly behaviour within the prison premises, which warranted the issuance of punishment tickets and also led to his transfer from the ordinary ward to the High Security Ward. The report further clarifies that there is no medical documentation or other evidence on record to support the Petitioner's claim of having been prescribed or administered psychiatric medication during the relevant period. Nevertheless, in accordance with the provisions of the Delhi Prison Rules, 2018, the Jail Administration made efforts to provide the Petitioner with counselling at the Institute of Human Behaviour and Allied Sciences.

5. The Court has duly considered the contentions advanced. The Petitioner has relied upon a letter dated 1st July 2008, issued by the Law Officer (Prisons) to the Jail Superintendent, recommending the allotment of prison labour and the Petitioner's participation in meditation, spiritual, and rehabilitative programmes. However, the said communication does not indicate that the Petitioner was suffering from any psychiatric illness. More importantly, there is no medical evidence on record to demonstrate that the Petitioner was ever diagnosed with a psychiatric disorder or was undergoing treatment for the same during the relevant period. Consequently, the explanation offered for the inordinate delay in filing the present petition, on the ground that the Petitioner was incapacitated from seeking legal recourse due to mental illness, is entirely unsubstantiated.

6. In any event, the punishment tickets sought to be set aside pertain to incidents occurring between the years 2006 and 2014, and the punishments awarded thereunder have already been served by the Petitioner. At this belated stage, no fruitful purpose would be served by passing any orders in



respect of such punishment tickets.

7. Accordingly, no interference is warranted by this Court in the exercise of its writ jurisdiction. The petition is dismissed.

SANJEEV NARULA, J

SEPTEMBER 10, 2025

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