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

+ **W.P.(CRL) 3125/2025**

SARTAJ

.....Petitioner

Through: Ms. Sowjhanya Shankaran, Mr. Akash Sachan, Ms. Anuka Bachawat and Ms. Charu Sinha, Advocates.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Amol Sinha, ASC (Crl.) with Mr. Kshitiz Garg, Mr. Ashvini Kumar, Mr. Nitish Dhawan, Mr. Manan Wadhwa and Mr. Anshul Sharma, Advocates.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

20.11.2025

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1. The present petition has been filed by petitioner under Section 528 of BNSS, 2023 (482 Cr.P.C.) assailing the impugned punishment ticket dated 30.11.2024.
2. The learned counsel appearing on behalf of petitioner invites attention of the Court to the punishment ticket the contents whereof state that the petitioner had argued with the escort staff and accordingly a punishment was given under the Delhi Jail Manual.
3. She submits that judicial appraisal of the punishment awarded to inmate is mandatory in terms of sub-section (3) of section 48 of the Delhi Prisons Act, 2000 (Act of 2000).



4. At this stage it would be apt to reproduce the provisions of Section 48 (3) of the Act of 2000 which reads thus:

“3. No punishment shall be imposed without judicial appraisal of Sessions Judge and where such intimation, on account of emergency, is difficult, such information shall be given within two days of the action.”

5. Attention of the Court is again invited to the punishment ticket to contend that Jail Superintendent has made observations to the following effect:

*“Heard inmate in presence of A.S. Brijmohan and A.S. Deviram. In view of the aforesaid conduct of inmate, “inmate” is **warned**.”*

6. She submits that the punishment in the form of ‘warning’ was not subsequently judicially appraised.

7. This factual position is not disputed by the learned Standing Counsel appearing on behalf of the respondent/State.

8. In view of the above, this Court is of the view that punishment ticket is in the teeth of the provisions of sub-section (3) of section 48 of the Act of 2000 and is not sustainable.

9. Accordingly, petition is allowed and the punishment ticket is set aside.

VIKAS MAHAJAN, J

NOVEMBER 20, 2025/jg