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

+ **W.P.(CRL) 3620/2024**

RAJAN

.....Petitioner

Through: Mr. Shannu Baghel, Mr. Ganpat Ram
Mr. Aakash, Mr. Saksham Kumar and
Ms. Disha Gupta, Advocates.

versus

STATE NCT OF DELHI

.....Respondent

Through: Mr. Sanjeev Bhandari, Advocate,
ASC (Criminal) along-with Mr. Arjit
Sharma, Advocate and Ms. Sakshi
Jha, Advocate.

CORAM:

HON'BLE MS. JUSTICE NEENA BANSAL KRISHNA

ORDER
07.11.2025

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1. Petition under Article 226 of the Constitution of India read with Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as 'B.N.S.S.'), has been filed on behalf of the Petitioner, to set-aside the Punishment Ticket No. 628 dated 29.04.2024, which has been apprised to the learned Inspecting Judge and Office of Principal District and Session Judge, HQs *vide* Order dated 04.07.2024 and 24.07.2024.
2. The short argument is that the Punishment Ticket was issued on 29.04.2024 for illegally using the calling facility of the co-inmates to illegally talk to his mother, sister and other unknown persons. A detailed Order dated 29.04.2024 was passed holding the Petitioner guilty and thereby permanently withdrawing the phone facility.
3. It has been rightly pointed out that the Show Cause Notice has been



issued on the next day i.e. 30.04.2024, which shows in fact, the Jail Authorities have only tried to fill the lacunae and to make it a reasoned Order when in fact, the Show Cause Notice got issued on the next day of the impugned Order

4. Considering the submissions, the impugned Punishment Ticket dated 29.04.2024 is hereby, set-aside and the matter is remanded back for the Jail Authorities, to decide the same within 15 days, after giving a due Show Cause Notice to the Petitioner. It is further directed that during this period, the phone call facility of the Petitioner, be restored, in accordance with the Jail Prison Rules.

5. The Petition is disposed of accordingly.

NEENA BANSAL KRISHNA, J

NOVEMBER 7, 2025/RS