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

\# **CNR No. DLHC010128632026**

\+ W.P.(CRL) 1038/2026 & CRL.M.A. 9765/2026, CRL.M.A. 16468/2026, CRL.M.A. 16469/2026, CRL.M.A. 16470/2026, CRL.M.A. 16471/2026, CRL.M.(BAIL) 654/2026

MOHAMMAD MAJID .....Petitioner

Through: Mr. Sarthak Maggon, Mr. Vaibhav Bhardwaj and Mr. Ujjwal Agarwal, Advocates.

versus

STATE OF NCT OF DELHI .....Respondent

Through: Mr. Amol Sinha, ASC for State with Mr. Ashvini Kumar, Mr. Nitish Dhawan and Ms. Chavi Lazarus, Advocates.
SI Meena, PS Mukherjee Nagar.
SI Rachna, P.S. Bindapur.

CORAM:
HON'BLE MR. JUSTICE AMIT BANSAL

O R D E R

% 13.10.2026

1. The present petition has been filed seeking the following reliefs:-

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A. Issue a Writ of Mandamus or any other appropriate writ directing the Respondents to release the Petitioner on Medical Parole for a period of 8 weeks to undergo specialized surgery and rehabilitation; (FIR NO. 54/2012; PS BINDAPUR, SECTION: 364(a) IPC)

B. Direct the Respondents to immediately constitute a Medical Board, preferably at AIIMS or Safdarjung Hospital, to assess the Petitioner's degree of permanent disability and submit a report to this Hon'ble Court;

C. Direct the Respondents to constitute a Compensation Assessment Committee in terms of the judgment in *Ved Yadav v. State (NCT of Delhi) in W.P. (CRL) 59/2023*, and award interim compensation to the Petitioner;

D. Direct the Respondents to bear the entire cost of the required surgery, treatment, and long-term rehabilitation for the injury sustained during custodial labour;

E. Order an independent inquiry into the safety protocols of the Bakery Unit at Central Jail No. 2 and fix accountability for the delayed medical response;

2. The petitioner was convicted and sentenced by the Trial Court in FIR No.54/2012 for offences under Sections 364A/34 of the Indian Penal Code, 1860 registered at Police Station Bindapur, Delhi.

3. It is stated that on 27th November, 2025, the petitioner sustained catastrophic hand injury while operating an outdated raw biscuit slicing machine while he was performing the night-shift prison labour at the Bakery Unit of Central Jail No.2.

4. Earlier, the petitioner was granted parole by the respondent on 17th December, 2025 and he surrendered on 17th January, 2026.

5. During the pendency of the present petition, the application for release on parole was rejected by the respondent on 17th April, 2026, on the ground that the minimum period of six (6) months from the surrender date of the

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previous parole had not elapsed.

6. As per the Nominal Roll placed on record, the said period of six (6) months has now elapsed, therefore, the petitioner would be eligible for grant of parole.

7. Accordingly, the petitioner is directed to be released on parole for a period of four (4) weeks from the date of his release, on furnishing a personal bond of INR 10,000/- with a surety of the like amount to the satisfaction of the concerned Jail Superintendent, and subject to the following conditions:

i. The petitioner shall remain at his residence during the period of his release and his ordinary place of residence.

ii. The petitioner shall provide his mobile number to the local police station, which shall be kept in working condition at all times and he shall not change the mobile number without prior intimation to the concerned Station House Officer (SHO).

iii. The petitioner shall not indulge in any criminal activity and shall maintain peace and good behaviour during the period of his release on parole.

iv. The petitioner shall surrender to the Jail Superintendent, Central Jail No.2, Tihar, New Delhi on the expiry of his period of release on parole.

8. The petitioner also seeks compensation for the permanent disability suffered by the petitioner.

9. In the judgement dated 17th February, 2023 in ***W.P. (Crl) No. 59/2023*** titled as ***Ved Yadav* v. *State of NCT of Delhi,*** the coordinate Bench of this Court laid down the following guidelines with regard to grant of compensation to prisoners, who suffered injuries while working in prison.

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Paragraph 43 of the said order is set out below:-

> *"43. Considering the same, this Court lays down the following guidelines:-*
>
> *a) In Case of a convict suffering work related amputation or life threatening injury, the Superintendent Jail will be duty bound to **immediately inform about the same to the concerned Jail Inspecting Judge within 24 hours from the incident**.*
>
> *b) A **Three-Member Committee** consisting of (i) Director General (Prisons), Delhi, (ii) Medical Superintendent of a government hospital (including, but not limited to, All India Institute of Medical Sciences, Safdarjung Hospital, Ram Manohar Hospital, Deen Dayal Upadhyay Hospital, Guru Teg Bahadur Hospital, and Dr. Baba Saheb Ambedkar Hospital), and **(iii)** Secretary, DSLSA of the concerned district wherefrom the convict has been sentenced, will be constituted, **who will assess and quantify the compensation** to be paid to the victim of such work related injury, after perusing the opinion of a board of doctors which will be constituted at their request by the treating hospital.*
>
> *c) The government hospital wherefrom the victim will be medically examined/treated for the injury or the disability, if any, the same will be put up before the above mentioned committee for assessment of compensation.*
>
> *d) For assessing the injury/disability, the contributory negligence, if any, of the victim in question will be kept in mind.*
>
> *e) It is clarified that the above **guidelines will be applicable only in the case of amputation, or any other life threatening injury, arising out of work related injury, sustained by the convict**.*
>
> *f) The essential **interim compensation** will be provided to such victim in case of amputation or life threatening injury."*

10. In light of the aforesaid directions, the respondent is directed to constitute a three-member committee and put up the case of the petitioner for assessment of the compensation to be paid to the petitioner.

11. The committee shall give its recommendation within six (6) weeks from today.

12. The petition is disposed of in the aforesaid terms.

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13. Copy of the order be forwarded to the Jail Superintendent for necessary compliance.

14. Pending applications stand disposed of.

AMIT BANSAL, J

OCTOBER 13, 2026
Vivek/-

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