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

+ **W.P.(CRL) 1290/2026 & CRL.M.A. 12449/2026**

NEERAJ SEHRAWAT @ NEERAJ BAWANIYA (IN JUDICIAL CUSTODY)Petitioner

Through: Mr.Avi Kalra, Adv. with Mr.Prateek Lakra and Ms.Arya Pathak, Advs.

versus

STATE OF NCT OF DELHI & ORS.

.....Respondents

Through: Nemo.

CORAM:

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TEJAS KARIA

ORDER

% **22.04.2026**

CRL.M.A. 12448/2026 (for exemption)

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

W.P.(CRL) 1290/2026 & CRL.M.A. 12449/2026

3. Heard the learned counsel for the petitioner.
4. By instituting this public interest litigation petition, the following prayers have been made:

“A. Issue an appropriate writ, order or direction, including a writ of Mandamus or Certiorari, restraining, regulating, and/or prohibiting the deployment of the Tamil Nadu Special Police (TSP), or any other non-local armed or paramilitary force, within the judicial custody areas and internal wards of the Tihar Jail Complex, so as to prevent harassment, coercion, language-based discrimination, and unauthorised custodial policing of undertrial prisoners and convicts, and to ensure that internal security and custodial management within



prison wards remain under the lawful, exclusive, and accountable control of the designated prison authorities in strict accordance with the Delhi Prisons Act, 2000 and the Delhi Prison Rules, 2018; and

- B. Issue an appropriate writ, order, or direction examining, adjudicating upon, and pronouncing the legality, constitutional validity, and statutory sustainability of the continued deployment of the Tamil Nadu Special Police within the internal custodial wards of prisons in the National Capital Territory of Delhi, and declare such deployment to be unconstitutional, ultra vires, and unsustainable in law in the absence of express legislative framework or statutory incorporation; and*
- C. Issue an appropriate writ, order or direction directing the Respondents to place on record, by way of a comprehensive affidavit, the complete statutory, legislative, executive, and administrative basis, if any, including all notifications, orders, approvals, or inter-governmental arrangements, governing or purporting to authorise the deployment of the Tamil Nadu Special Police within the custodial areas of Tihar Jail; and*
- D. Issue an appropriate writ, order or direction for issuance of consequential directions for the removal, withdrawal, and discontinuance of the deployment of the Tamil Nadu Special Police from the internal custodial wards of Tihar Jail, the said deployment having been sanctioned only as a temporary and exceptional measure and continued without authority of law; and*
- E. Issue an appropriate writ, order or direction directing the Government of the National Capital Territory of Delhi, if it deems necessary for prison security, to deploy only such permanent forces as are expressly authorised, appointed, and regulated under the Delhi Prisons Act, 2000 and the Delhi Prison Rules, 2018, ensuring that any such deployment is effected strictly within the confines of law, with clear delineation of roles, accountability, and oversight;*
- F. Pass any other or further order(s) or direction that this Hon'ble Court may deem just and proper in the interests of justice, equity, and good conscience to secure the fundamental rights and dignity of the Petitioner."*

5. Essentially, this public interest petition calls upon the Court to issue a mandamus restraining and prohibiting deployment of Tamil Nadu Special Police Force or any other non-local Armed or Para Military Force in the internal wards of Tihar Jail complex.



6. Having regard to the prayers made in the petition, we are not inclined to entertain this petition for the simple reason that issue as to which particular police forces is to take charge of the security and other related arrangements in a Jail is the prerogative and preserve of the Executive Authorities.

7. Further, the petitioner himself is stated to be lodged in Tihar Jail in connection with trials being faced by him. He is said to be facing trials in 7 matters, including 2 cases under Section 302/307 of Indian Penal Code, 1860 (IPC) and certain other cases under Section 395, 397, 387 and 385 of IPC, etc.

8. The petition is, thus, dismissed along with pending application.

DEVENDRA KUMAR UPADHYAYA, CJ

TEJAS KARIA, J

APRIL 22, 2026

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