HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

Judgment reserved on :30/09/2026
Judgment delivered on : 26/10/2026
Judgment (full) uploaded on : 26/10/2026

(1) D.B. Civil Writ Petition No. 2808/2012

CNR: RJHC020261762012 | URN: CW / 4482U / 2012

Suo Motu

----Petitioner

Versus

1. The State Of Rajasthan through its Additional Chief Secretary, Home Department, Government of Rajasthan, Government Secretariat, Jaipur.
2. The Principal Secretary to the Government, Finance Department, Government of Rajasthan, Government Secretariat, Jaipur.
3. The Principal Secretary to the Government, Medical and Health Department, Government of Rajasthan, Government Secretariat, Jaipur.
4. The Secretary to the Government, Department of Technical Education, Government of Rajasthan, Government Secretariat, Jaipur.
5. The Director General (Prisons) State of Rajasthan, Jaipur.
6. The Director, Local Bodies and Local Self Department, Government of Rajasthan, Jaipur.
7. The Deputy Director General, National Informatics Center, Government Secretariat, Jaipur.

----Respondents

Connected With

(2) D.B. Civil Writ Petition No. 11417/2008

CNR: RJHC020528192008 | URN: CW / 19398U / 2008

"Peoples Watch Rajasthan" through Kishan Gurjar s/o Shri Rampratap, Aged about 45 years, Resident of 10, Kundan Nagar, Ajmer and Legal Officer Peoples Watch Rajasthan (Human Rights Organisation)

----Petitioners

Versus

1. State of Rajasthan through Chief Secretary, Government of Rajasthan, Secretariat, Jaipur.

2. The Principal Home Secretary, Jaipur.

3. The Director General, Prisons, Ghat Gate, Jaipur.

4. The Ministry of Home Affairs, New Delhi

----Respondents

(3) D.B. Civil Writ Petition No. 5463/2015

CNR: RJHC020609252015 | URN: CW / 9690U / 2015

Suo Moto

----Petitioner

Versus

1. The State Of Rajasthan, through Home Secretary, Govt. of Rajasthan, Secretariat, Jaipur.

2. Rajasthan State Legal Services Authority, Jaipur.

----Respondents

(4) D.B. Civil Writ Petition No. 17462/2017

CNR: RJHC020588762017 | URN: CW / 30020U / 2017

Suo Motu

----Petitioner

Versus

1. The State of Rajasthan through Chief Secretary, Government of Rajasthan, Jaipur.

2. The Director General of Police, State of Rajasthan, Police Headquarter, Jaipur.

3. The Director General (Prisons) State of Rajasthan, Jaipur.

4. Principal Secretary, Home Department, Government of Rajasthan, Jaipur.

5. Principal Secretary, Social Justice and Empowerment Department, Government of Rajasthan, Jaipur.

6. Member Secretary, Rajasthan Legal Services Authority,

Jaipur.

7. Chief Judicial Magistrate, Ajmer.
8. Chief Judicial Magistrate, Alwar.
9. Chief Judicial Magistrate, Balotra.
10. Chief Judicial Magistrate, Baran.
11. Chief Judicial Magistrate, Banswara,
12 Chief Judicial Magistrate, Bharatpur
13. Chief Judicial Magistrate, Bhilwara
14. Chief Judicial Magistrate, Bikaner
15. Chief Judicial Magistrate, Bundi
16. Chief Judicial Magistrate, Churu
17. Chief Judicial Magistrate, Chittorgarh
18. Chief Judicial Magistrate, Dausa
19. Chief Judicial Magistrate, Dholpur
20. Chief Judicial Magistrate, Dungarpur
21. Chief Judicial Magistrate, Sri Ganganagar
22. Chief Judicial Magistrate, Hanumangarh
23. Chief Judicial Magistrate, Jaipur Metropolitan
24. Chief Judicial Magistrate, Jaipur District
25. Chief Judicial Magistrate, Jaisalmer
26. Chief Judicial Magistrate, Jalore
27. Chief Judicial Magistrate, Jhalawar
28. Chief Judicial Magistrate, Jhunjhunu
29. Chief Judicial Magistrate, Jodhpur Metropolitan
30. Chief Judicial Magistrate, Jodhpur District
31 Chief Judicial Magistrate, Kota
32. Chief Judicial Magistrate, Karauli
33. Chief Judicial Magistrate, Merta City
34. Chief Judicial Magistrate, Pali
35. Chief Judicial Magistrate, Pratapgarh
36. Chief Judicial Magistrate, Rajasmand
37. Chief Judicial Magistrate, Sawaimadhopur
38. Chief Judicial Magistrate, Sikar
39. Chief Judicial Magistrate, Sirohi

40. Chief Judicial Magistrate, Tonk
41. Chief Judical Magistrate, Udaipur

----Respondents

(5) D.B. Civil Writ Petition No. 12416/2019

CNR: RJHC020649962019 | URN: CW / 23418U / 2019

Rajasthan State Legal Services Authority, Through Member Secretary, Mr. Ashok Kumar Jain S/o Lt. Shri M.p. Jain, Age 51Years, R/o B-4, Lane No. 7, Hari Marg, Civil Lines, Jaipur (Rajasthan)

----Petitioner

Versus

1. Chief Secretary Through State Of Rajasthan, Government Secretariat Jaipur.
2. Principal Secretary, Department Of Home, Government Of Rajasthan, Government Secretariat Jaipur.
3. Director General (Prison), Ghat Gate, Jaipur.
4. The Registrar General, Rajasthan High Court, Jodhpur

----Respondents

(6) D.B. Civil Writ Petition No. 5997/2026

CNR: RJHC020306852026 | URN: CW / 13239U / 2026

Suo Moto- In Re- In Human Conditions In Prisons, Rajasthan High Court Bench Jaipur

----Petitioner

Versus

1. State Of Rajasthan, Through Its Chief Secretary, Government Secretariat, Jaipur, Rajasthan.
2. Director General/inspector General Of Prisons, Government Of Rajasthan.
3. Member Secretary Of State Legal Services Authority (RALSA), Jaipur, Rajasthan.

----Respondents

For Petitioner(s) : Mr. Prateek Kasliwal, Amicus Curiae
with Ms. Priyanka Tiwari &
Ms. Vidushi Singh
Ms. Sumati Bishnoi, Amicus Curiae
Ms. Sonal Singh, Amicus Curiae

For Respondent(s) : Mr. Rajendra Prasad, AG assisted by
Mr. Sheetanshu Sharma
Mr. SP Singh Rajawat, Asst. GC with
Ms. Shikha Sharma, AAAG for
Mr. Gurucharan Singh Gill, AAG
Mr. Shailesh Prakash Sharma
Mr. Anshuman Saxena
Ms. Manisha Agarwal
Ms. Shilpa Choudhary
Ms. Jyoti Rathore

DIVISION BENCH

HON'BLE THE CHIEF JUSTICE MR. SANJAY K. AGRAWAL
HON'BLE MR. JUSTICE SAMEER JAIN

C.A.V. Judgment

For sake of exposition, this judgment is divided in the following parts:-

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PREFACE:

1. The present batch of Public Interest Litigations (PILs) encompasses a wide spectrum of issues pertaining to the rights, welfare, and dignity of prisoners, as well as the overarching infrastructure, security, and conditions prevailing in the jails across the State of Rajasthan.

2. This Court took *suo motu* cognizance of the present batch of PILs in the period spanning from 2012 to 2026 on the basis of alarming news reports published on 25.02.2012 and 26.02.2012 in various daily and regional newspapers such as *Rajasthan Patrika, Rastradoot, Dainik Navjyoti, Dainik Bhaskar*, and *Times of India*.

3. The said reports highlighted an incident where a history-sheeter, namely Aatish Garg, allegedly masterminded an extortion and firing incident on a tyre businessman in Vaishali Nagar, Jaipur, while being lodged in the Ajmer Jail, communicating through a mobile phone and listening to the live gunfire. The media questioned the security apparatus inside the jails and prisons, noting that courts were being forced to term the jails as *Shadyantralaya* (Conspiracy houses) due to the unhindered operation of crime syndicates from within prison walls.

4. Over the years, the scope of the present batch of PILs was expanded to include representations from several inmates, notably a letter dated 04.01.2014 from prisoners of Central Jail, Kota, and a letter dated 06.01.2015 sent by one Raju Lal s/o Shrawan Lal Raigar and other prisoners of Central Jail, Jaipur.

5. By way of the above-mentioned letters and relying upon the dictum enunciated by the Hon'ble Supreme Court in the case of **Phool Kumari v. Superintendent, Central Jail, Tihad, New Delhi**[1], it was prayed for the constitution of a committee to

1. 2012 Cr.L.J. 1261 (S.C.)

provide minimum wages to prisoners equivalent to the MNREGA Scheme.

QUINTESSENTIAL FACTS OF THE AJMER JAIL INCIDENT AND INFRASTRUCTURAL LAPSES:

6. Recently, on 02.07.2026, this Court took serious note of a fatal incident that occurred within the High Security Jail, Ajmer, directing the respondents to file a detailed and comprehensive Status Report regarding the alleged murder of an under-trial prisoner, namely Jagan Gurjar, substantiating the operational failure of the CCTV cameras.

7. In compliance of the aforesaid directions, learned Additional Advocate General appearing on behalf of the respondent-State has placed a detailed Status Report dated 28.07.2026 on record in pursuant to the order dated 02.07.2026 passed by this Court, revealing the following disturbing facts:

(i). The deceased, namely Jagan Gurjar, undertrial in Arms Act Case No. 99/2026, Bari, Dholpur, was transferred to Ajmer on 29.03.2026.

(ii). Following a rift with his brother Pappu, Jagan was shifted to Cell No.5 of Block No.4, Ward No.2 on 16.05.2026, as he claimed he felt safe with the seven prisoners involved in the ‘Jaghina murder case’ lodged in that block.

(iii). On 29.06.2026, during the mid-day lock-up at around 11:00 AM to 03:00 PM, Jagan was lodged in Cell No.5 along with another

undertrial, Vishnu@Bona. Vishnu was locked in the same cell at Jagan's behest to play the game of Ludo.

(iv). The timeline indicates that after the cell was cleaned by sweeper Harishankar at around 11:17 AM, and rounds were made by Nursing Officers Mohammad Farman and Pradyuman Singh at around 12:00 Noon, the accused Vishnu called Constable Jitendra Khinchi at around 1:18 PM to switch off the fan.

(v) In-between the above-mentioned period and the unlocking of the jail at around 2:54 PM by Constable Rajendra Singh, Vishnu allegedly strangled Jagan Gurjar to death using a towel.

(vi). Upon discovery of the same, the Superintendent of Jail interrogated Vishnu, who claimed that the motive behind causing the death of Jagan Gurjar was prolonged taunts by the deceased regarding his criminal background and family. Vishnu admitted to turning off the fan in a failed attempt to stage a suicide.

(vii). Thereafter, an FIR bearing No.0176/2026 dated 29.06.2026 came to be registered at Police Station Civil Lines, Ajmer. Subsequently FSL teams were called, and a judicial inquiry was commenced by the learned CJM, Ajmer City East.

(viii). Following the *post mortem* of the deceased on 30.06.2026, Jagan's brother Pappu Gurjar attended the cremation on 01.07.2026 under a police guard provided by the learned Special Judge, Dholpur.

STATUS REPORT FILED BY THE RESPONDENT-STATE:

8. Addressing the Court's query *qua* the non-functional CCTV cameras, the Status Report filed by the respondent-State clarifies that:

(a). The Ajmer jail has 319 cameras installed via RAJCOMP, out of which approximately 258 are operational and monitored 24x7.

(b). Regarding Cell No.5, the specific camera was damaged and the same was not operational properly due to a technical fault. Server logs reflect that the said camera went completely offline automatically on 24.06.2026 at 9:16 AM, days before the incident.

(c). Demonstrating premeditation, the accused Vishnu, under the mistaken belief that the camera was operational due to a glowing LED, attempted to obscure the lens by applying Colgate toothpaste on it at around 10:00 AM on 29.06.2026.

(d). The records exonerate the immediate Jail Administration of willful negligence regarding the cameras. The Jail Superintendent had sent approximately 20 written communications/e-mails since the beginning of 2026 to the DOIT, Jaipur, the District Collector, and RISL regarding frequent UPS damage and server shutdowns. The latest reminder was sent on 18.06.2026, followed by urgent post-incident communications on 30.06.2026 and 08.07.2026.

PETITION-WISE COMPLIANCE STATUS AND SUBMISSIONS:

9. We have also perused the Status Report dated 05.03.2025 submitted by the respondent, juxtaposed against the Short Note dated 30.09.2026 submitted by Mr. Prateek Kasliwal, learned

Amicus Curiae, highlighting areas requiring continuing monitoring. As per the Short Note dated 30.09.2026 submitted by learned Advocate General, the petition-wise status as on date of the present batch of petitions are as follows:-

(a). In D.B. Civil Writ Petition No. 2808/2012: Learned Advocate General submits that substantial compliance has been achieved *qua* 45 specific directions issued by this Court vide order dated 27.01.2016. It is submitted that an MoU for food has been executed with CONFED. It is next submitted that the State has enacted the Rajasthan Prisoners Rules 2022, Parole Rules 2021, and Shortening of Sentences Rules 2026. Regarding video-conferencing, it is submitted that 70% implementation of the same has been achieved, and the matter is presently seized with and under the active consideration of the Hon'ble Supreme Court in **Shashi Alias Shahi Chikna Vivekanand Jurmani v. State of Maharashtra**[2].

However, learned *Amicus Curiae* raised strong objections against the same highlighting that an aggregate statement of CCTV installations is inadequate. It is stated that recent District Judge inspection reports dated 29.10.2025 disclose glaring deficiencies: *Mahila Bandi Sudhar Grih*, Ajmer has 0 CCTV cameras; Central Jail, Bikaner has only 16 cameras against a proposed 275 due to budget paucity; District Jail, Jaipur has fewer cameras than required (60 proposed); Central Jail, Kota has only 15; and 37

2 M.A. No. 183/2026 in SLP Crl 12690/2025

cameras out of total 147 cameras at Jodhpur and Udaipur are non-functional. Moreover, learned *Amicus Curiae* highlighted that the recruitment of 876 *Challani* Guards between 2019-2021 does not address the current manpower requirements based on present overcrowding. The order dated 05.03.2018 regarding intensive searches for mobile phones also requires verifiable, institution-wise logs, not merely the installation of jammers. It is lastly stated that the Prison Inmate Calling System (PICS) must also be functionally verified.

(b). D.B. CWP No. 11417/2008 (Peoples Watch): It is stated that the said petition regarding the inadequate provision of washing soda pertaining to Rule 120 of the Rajasthan Prisons Rules, 1951 and water is now subsumed under directions 1 and 2 of the order dated 27.01.2016 passed by this Court, which mandate continuous tap-water supply and hygiene.

(c). D.B. CWP No. 5463/2015 (Women's Rights): It is highlighted that automatic sanitary napkin vending machines were installed in Jaipur, and directions were issued for the remaining six women's prisons at Jodhpur, Kota, Udaipur, Ajmer, Bharatpur, and Bikaner. The issue of allowing periodic meetings of closely related convicts (husband/wife, father/son) is currently being examined by the State.

(d). D.B. CWP No. 12416/2019 (Custodial Death): It is urged that the State Government has formulated the "Rajasthan Custodian Death Relief Scheme 2025", based on prevalent schemes in Haryana, Odisha, and Karnataka. The scheme is

pending scrutiny and approval by the learned Advocate General and will be operationalized shortly.

(e). D.B. CWP No. 12416/2019 (RSLSA): Regarding the release of female/old prisoners, the State placed an updated status dated 10.10.2025 on record reflecting that 548 female prisoners are out on bail, 48 on permanent parole, 45 released, 123 in Open Jails, 32 deceased, and 254 confined.

(f). D.B.C.W. (PIL) No. 5997/2026 (Open Correctional Institutions): Registered pursuant to the directions passed by the Hon'ble Supreme Court in **Suhas Chakma v. Union of India**[3], it is submitted that Open Correctional Institutions are actively functioning in the State of Rajasthan.

EVALUATION OF INSTITUTIONAL REFORMS:

10. We extend our sincere appreciation to all the learned *Amici Curiae* for their valuable assistance and efforts in the present matter spanning from the period of 2008 to 2026.

11. Upon bare perusal of the above-mentioned record, we are of the view that the extensive exercise undertaken by this Court since 2008 has yielded substantial institutional reforms, the enactment of updated Prison Rules, and widespread infrastructural upgrades. However, as the unfortunate incident of 29.06.2026 at Ajmer demonstrates, the implementation of these directions requires perpetual vigilance, adequate technical support, and not merely episodic compliance.

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3 (WP 1082/2020)

12. Given that the specific murder incident is under active investigation, and considering that the State Government is pursuing institutional reforms, keeping these judicial dockets pending endlessly serves no further fruitful purpose. However, their closure must be accompanied by a robust, continuous monitoring mechanism as prayed for by the learned *Amicus Curiae*.

DIRECTIONS AND CONCLUSION:

13. Accordingly, the present batch of *suo motu* Public Interest Litigations stands **closed** and **disposed of** with the following directions:

(i). Permanent Monitoring Committee: A State-Level Monitoring Committee is hereby constituted, headed by the District Judge(s) concerned of the respective districts who shall act as the Chairman of the Committee. Being the administrative and judicial head of the district, the District Judge shall actively monitor the prevailing conditions, provide requisite inputs for effective execution, and ensure that all the directions passed by this Court shall be strictly complied with in letter and spirit. The other members of the Committee shall comprise the Director General of Prisons, Rajasthan, the Member Secretary, RSLSA, and the Director, DOIT, Rajasthan.

(ii). Technical Mandamus to DOIT & RISL: A *mandamus* is issued to the Director, DOIT, Rajasthan, and RAJCOMP Info Services Ltd. (RISL) to immediately respond and take appropriate actions towards the pending maintenance requests from all Jails.

The said authorities are granted three months to ensure that all proposed CCTV cameras, including 275 cameras at Bikaner and 60 cameras at Jaipur, are fully installed; defective cameras, as highlighted vide the inspection report dated 29.10.2025 are repaired; and adequate storage and backup systems are functional.

(iii). Security Sweeps: The Prison Department shall formulate a Standard Operating Procedure (SOP) to comply with the directions laid down by this Court vide order dated 05.03.2018 in D.B. Civil Writ Petition No. 2808/2012, ensuring periodic, intensive, and surprise searches for mobile phones across all jails, maintaining a strict institution-wise log of recoveries.

(iv). Manpower & Wages: The State Government shall, within three months, assess the current requirement of *Challani* Guards against the present inmate population and initiate time-bound recruitment. Moreover, the State shall ensure that the payment of wages to prisoners remains in consonance with the mandates laid down by the Hon'ble Supreme Court in **Phool Kumari (supra)**.

(v). Women's Prisons & Related Convicts: The State shall ensure the functional availability of sanitary vending machines across all women's prisons. The policy allowing periodic meetings of closely related convicts shall be finalized within two months.

(vi). Custodial Death Relief Scheme: The "Rajasthan Custodian Death Relief Scheme 2025" shall be finalized, approved, and formally notified by the State Government within a period of three months from the date of passing of the present judgment.

14. It is directed that the State-Level Monitoring Committee shall convene quarterly to review the compliance of the aforesaid directives passed hereinabove and the categorical directions passed by this Court vide order dated 27.01.2016 in D.B. Civil Writ Petition No. 2808/2012.

15. The Registrar (Judicial) is directed to send a copy of the present judgment to all the concerned District Judges for knowledge and necessary compliance of the present judgment.

16. Pending applications, if any, in the present batch of petitions also stand disposed of.

(SAMEER JAIN),J (SANJAY K. AGRAWAL),CJ

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