

State of Punjab Vs BIKRAMJIT SINGH MAJITHIA

Present: Sh.D.S.Sobti, Sh.H.S.Dhanoa, Sh.A.S.Kaler, Sh.Simranjit Singh Tiwana and Sh.Sultaan Singh Sangha Advocates counsels for the applicant.
Sh.Prit Inder Pal Singh and Sh.Ferry Sofat SPPs for the State assisted by Sh.Manjit Singh and Sh.R.S.Jauhal Addl PP's for the State.
Assisted by DSP Inderpal Singh, Vigilance Bureau.

An application has been filed by the applicant to issue a direction to a Jail Superintendent, New Jail, Central Jail Nabha not to lodge the applicant/accused with any other under trial prisoner or convict prisoner and for strictly complying with the rules of Punjab Prison Rules, 2022 published in the Punjab Government Gazette vide notification dated 02.06.2022 with the contentions that the accused/applicant made a call to his counsel on 09.07.2025 from Nabha Jail that two more prisoners have been put along with the applicant deliberately and against the rules, increasing threat perception to the applicant without any justifiable reason. There is no lack of space in the new jail Nabha and the applicant was sent to judicial custody as to the request of State through SPP. Reference has also been made to the fact that earlier also applicant was kept in Central Jail, Patiala and even at that time ADGP, Security Punjab communicated to the SSP of Patiala about the threat perception to the accused from the Jail to the applicant/ accused. Even the HOn'ble High Court in CWP No.-11090 of 2025 has passed interim directions to ensure that adequate security is provided to the applicant.

Upon notice, a report was called from the Superintendent of New District Jail, Nabha who had submitted that taking into consideration

that UTP has been a member of legislative assembly. Department is taking extra care for security of applicant/accused, special/extra guard is deployed inside the ward where the applicant/accused is being kept. Special orders in this regard, regarding directions to various officials for the movement of accused/applicant inside jail have been made. Also keeping in mind the security of the inmate, inmate having good conduct inside jail are kept inside the ward alongwith applicant/accused. Lastly, two inmates that are kept alongwith accused/applicant is in general routine so that in case of an emergency, medical or otherwise to any of these three inmates in barrack, one of them can call for help from guards on duty during lock up time. It is also submitted that necessary orders and directions for the safety and security of applicant, accused have been issued to all concerned. Even it is also submitted that the accused/applicant has not raised any issue in this regard before the Superintendent New District Jail, Nabha and the said official has acted and make the necessary arrangements as provided under the Law.

Ld SPP for the State has adopted the said reply of Superintendent, New District Jail, Nabha on behalf of the State and had not filed any separate reply.

During the arguments both the counsel for the applicant as well as SPP for the State has referred to the chapter 20 of the Punjab Prisoner Rules, 2022.

This Court has gone through the above stated rules of that chapter with the able assistance of both the counsel for the applicant as well as the Ld SPP for the State. Indeed these rules are applicable in the present case. The only point of contention between the State and applicant

is that two other inmates are kept alongwith the applicant in his barrack and he apprehends danger to his security at the hands of those two other inmates. As far as the other security arrangement are concerned the reply the Superintendent of the Jail clearly states that the security arrangements have been made as per the Jail Rules. As such, let the copy of the application moved by the applicant alongwith copy of this order be sent to ADGP, Prisons Punjab who will himself access the entire security arrangements of the applicant and even the request of the applicant mentioned in the application and will submit his report to the Court keeping in consideration chapter 20 of the Punjab Prison Rules has been complied with or not and report. For the report adjourned to 25.07.2025.

Copy of this order be sent immediately through email to the office of ADGP, Prisons Punjab.

Date of Order: 22.07.2025
Anju Thakur Stenographer
*Gr-III**

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