
(2023) 05 RAJ CK 0103
In the Rajasthan High Court
Case No : Criminal Writ Petition No. 515 Of 2023

Mangilal	Vs	APPELLANT
State Of Rajasthan And Others		RESPONDENT

Date of Decision : 11-05-2023

Acts Referred:

Rajasthan Prisoners Open Air Camp Rules, 1972 — Rule 3(c), 3(g)

Citation : (2023) 05 RAJ CK 0103

Hon'ble Judges : Arun Bhansali, J; Rajendra Prakash Soni, J

Bench : Division Bench

Advocate : K.R. Bhati, Anil Joshi, Rajast Chhaparwal

Final Decision : Disposed Of

Judgement

1. This petition has been filed by the petitioner seeking direction to respondents to send the petitioner to Open Air Camp, Udaipur.
2. A reply to the petition has been filed, inter-alia, indicating that the petitioner has absconded from the Open Air Camp and as per the provisions of Rules 3 (c) and 3 (g) of the Open Air Camp Rules, 1972 he is not eligible for being sent to the Open Air Camp and that the matter is pending at headquarter.
3. Counsel for the petitioner made submissions with reference to judgment in Shankar vs. State of Rajasthan & Ors. : D.B. Criminal Writ Petition No.88/2022 decided on 12.05.2022 and Anish Mohd. vs. State of Rajasthan & Ors. : D.B. Criminal Writ Petition No.215/2022 decided on 14.07.2022 that reporting at Open Air Camp with delay/on account of some reasonable cause cannot disentitle a prisoner from being sent to Open Air Camp.
4. In view of the fact that the matter is pending consideration at Headquarter, the respondents are directed to pass appropriate order expeditiously, preferably within a period of one month from today keeping in view the judgments of this Court in the cases of Shankar and Anish Mohd. (supra).

5. The petition stands disposed of accordingly.