
(2011) 04 GUJ CK 0005
In the Gujarat High Court

Case No : Special Criminal Application No. 525 of 2011

Suthar Navinbhai Govindbhai

APPELLANT

Vs

State of Gujarat and Others

RESPONDENT

Date of Decision : 05-04-2011

Acts Referred:

Citation : (2011) 04 GUJ CK 0005

Hon'ble Judges : S.R. Brahmbhatt, J

Bench : Single Bench

Advocate : K.P. Raval, Addl Public Prosecutor for Respondent 1, for the Respondent

Judgement

S.R. Brahmbhatt, J.—This petition is received from the Sessions Court as the Petitioner prisoner has dropped the same in the box maintained in jail. The tenor of the complaint indicated that he was being harassed for filing complaints in respect of the grievances which made on earlier occasion.

2. This Court (Coram: M.D. Shah, J.) issued Rule, which was made returnable on 17.03.2011. The matter had come up before this Court on 28.3.2011 and at the request of learned APP, it was adjourned to 5.4.2011.

3. Today, an affidavit-in-reply was required to be filed, which has been filed by Deputy Superintendent of Jail, Central Jail, Ahmedabad, the same is taken on record.

4. The deponent of the affidavit-in-reply has annexed the order of this Court dated 25.3.2011 indicating therein that this Petitioner's earlier complaint along with other complaints came to be disposed of by this Courts no substance was found therein and it is urged that present petition also may be disposed of as the prisoner is in habit of making grievances without their being substantial cause thereof.

5. Learned APP has submitted that the prisoner has in fact requested for transfer

made from this jail to ajail near to his native. This fact is seen from the earlier application, which have been made by prisoner.

6. I am of the view that, this petition is required to be disposed of with following directions:

I. The authorities concerned namely the Superintendent of Jail, may call the prisoner and ascertain from him with regard to the grievances which he has made and the prisoner be informed that the petition is disposed of with this observation and in case if he has grievances, he is at liberty to approach the Court by way of dropping letter in the box maintained in jail.

II. The request for transfer his jail on the ground of such grievances, at this stage, cannot be entertained and Court has taken a note of this request, so therefore, the authorities concerned shall with an independent mind examine the Petitioner prisoner and assuage the grievances, if any.

7. With these observations, the petition is disposed of. Rule is discharged. Registry is directed to inform the prisoner about the order passed by this Court.