

(2011) 03 P&H CK 0667

In the Punjab And Haryana At Chandigarh

Case No : C.M. No"s. 3114-3115 of 2011 in C.W.P. No. 2847 of 2011 (O and M)

Tarlochan Singh

APPELLANT

Vs

State of Punjab etc.

RESPONDENT

Date of Decision : 16-03-2011

Acts Referred:

Citation : (2011) 03 P&H CK 0667

Hon'ble Judges : Ranjan Gogoi, C.J;Augustine George Masih, J

Bench : Division Bench

Final Decision : Dismissed

Judgement

Ranjan Gogoi, C.J.—This miscellaneous application has been filed seeking a direction to transfer the Petitioner back to the District Jail, Roop Nagar from where he has been transferred to the Central Jail, Patiala. According to the Petitioner, he had filed CWP No. 2847 of 2011 brining to the notice of the Court large number of irregularities in the Jail at Roop Nagar (Ropar). On account of the said fact, he was transferred out of the Roop Nagar Jail on the very next day. Hence the prayer made in the C.M. Application.

2. An affidavit has been filed by the Director General of Police (Prisons) stating that the transfer of the Petitioner to Patiala Jail on 17.2.2011 was necessitated to maintain discipline in the Jail which was likely to be disturbed on account of a rivalry between two groups of jail inmates. According to the Director General of Prisons, the Petitioner was the leader of one of the groups. It is further stated in the affidavit filed that the aforesaid transfer made on 17.2.2011 was before the order of the Court dated 16.2.2011 in CWP No. 2847 of 2011 was received by the jail Authorities.

3. As the transfer of the Petitioner to the jail at Patiala was on account of the need to maintain discipline in the jail at Roop Nagar, we are of the view that the prayer made in this miscellaneous application ought not to be granted. Miscellaneous application, therefore, is dismissed.

4. If in the course of enquiry into the irregularities pointed out in the writ petition it becomes necessary to record the statement of the Petitioner, it will be so done even by bringing the Petitioner to the Roop Nagar jail, if so required.