

File No.3559/12

13.08.2014

Petitioner is represented by Mr. Suryavansh Rai Advocate. DIG Shahabad Range Mr. Uma Shankar Sudhanshu is present along with Deputy Superintendent, Mr. Vinod Kumar, District Jail Ara.

The complaint was by an under-trial prisoner that an SP and three DSPs had come to see him in jail and threatened him. In response it has been stated that prisoner had requested to have a meeting with the SP. In any case, it is difficult for this Commission to find out whether the police officers went to meet the prisoner on their own or they were requested by the prisoner himself but the Commission feels that under no circumstances a prisoner whether an under-trial or a convict can be met by a police officer or by any other person except those who are permitted to meet the prisoner under Jail Manual. If any other person needs to meet the prisoner he cannot meet him even if request is made by the prisoner unless he seeks permission from the court.

It is well established in law that an under-trial prisoner or even a convict who is in jail is supposed to be in the custody of court. Therefore, nobody can meet him or approach him without the permission of the court. The police should keep in mind these observations in future and should not try to approach any prisoner. If they need to meet a prisoner for some valid reason they can do so but after obtaining permission from the competent court.

The matter is closed.

(Justice Bilal Nazki)
Chairperson