

IN THE COURT OF SH. AMITABH RAWAT, ADDITIONAL SESSIONS JUDGE-03, SHAHDARA DISTRICT, KARKARDOOMA COURT, DELHI

I. A. No.14-2020 (Gulfisha Fatima)

FIR No. 59/2020 dated 06.03.2020

PS- Crime Branch, Delhi (Investigated by Special Cell)

U/S. 13/16/17/18 UA (P) Act, 120B r/w 109/114/124-A /

147/148/149/153A/186/201/212/295/302/307/341/353/395/420/427/435/436/452/
454/468/471/34 IPC &

Section 3 & 4 Prevention of Damage to Public Property Act,1984
and Section 25/27 Arms Act

05.11.2020

ORDER

1. Vide this order, I shall dispose off miscellaneous application moved on behalf of the accused Gulfisha seeking directions to Jail Authorities.

2. It was submitted by the counsel for the accused that the accused is in J/C since 11.04.2020 and is subjected to harassment by the jail authorities. She has been called by various names like jaanwar, katvi etc. by the jail staff causing her mental and emotional harassment.

It was prayed that jail authorities may be directed not to harass the accused and action be taken against them.

3. A status report was filed by the Jail Superintendent, Tihar Jail stating that various requests of the applicant have been considered from time to time as per jail rules. Various requests like change of brand of milk, headphone for legal interview, study room etc. were made and duly considered. The applicant had made a complaint about the discrimination by a jail staff and after making inquiry it was found that there was arguments between the applicant and the jail staff over the issue of going inside the jail ward after 6.30 pm as per rules. Moreover no derogatory words as mentioned in the application were made and two other

inmates, who were present there have given their statements. There are 48 Muslim female inmates as on 15.10.2020 and no other inmate has ever made such kind of complaint. There is no discrimination on the basis of caste, religion, creed inside the jail. The applicant/femal inmate is also trying to over power the jail staff and create nuisance in jail. Her behaviour is aggressive and troublesome. Staff has also been directed to behave politely and not to argue with other inmates. The applicant has also been given correctional punishments to mend her behaviour.

4. After perusing the application, report and hearing the arguments, It appears that there were some arguments between a jail staff and an accused/applicant. It is a version of the applicant vs version of the jail staff. The concerned Jail Superintendent has conducted an inquiry.

5. In the facts of the case, I deem it fit, without getting into the allegations/denial of allegations, to instruct the Jail Superintendent to ensure that if need be, to change the ward of the applicant or change the staff on duty or other steps that he deems fit to avoid any confrontation.

With above observations, the present application is disposed off. Should the applicant still have the grievance about any offence being committed against her, she may move complaint before the Jurisdictional Magistrate.

Copy of this order be sent to Jail Superintendent for compliance.

(AMITABH RAWAT)
Addl. Sessions Judge-03
Shahdara District, Karkardooma Courts,
Dated: 05.11.2020g