

5

SC 3A/11/2014

7256/2016

DRI Vs. ANIL KUMAR ORS

21.05.2018

Present: Ms. Mala Sharma, Ld. SPP for the DRI.

Sh. V. K. Tandon Ld. Counsel for accused Manu Khosla.

Sh. S. S. Dass Ld. Counsel for accused Amit Kumar Singh

Accused Amit Kumar Singh and Anil Kumar produced from JC.

Accused Manu Khosla is exempted from personal appearance through his counsel vide order dated 18.05.2018.

Sh. B. K. Banerjee (PW-10) is present, partly cross-examined on behalf of accused Amit Kumar Singh in pre-lunch and post-lunch session and his further cross-examination is deferred as no time left.

Report regarding accused Amit Kumar Singh received from Superintendent, Central Jail, Mandoli, Delhi. Ld. Counsel for accused submits that the accused Amit Kumar was assaulted in the jail on 07.05.2018. Copy of OPD ticket seen and returned. Ld. Counsel submits that there is no reason to place the accused in High security category and he is also being assaulted in the jail. Submission heard. Report perused. In the report submitted by Superintendent, Central Jail no. 15, it is stated that accused Amit Kumar Singh has not been kept in solitary confinement. In the OPD ticket, it is mentioned "AHO physical assault on 07.05.2018 as told by the patient". It is not

mentioned that the accused was assaulted by the jail officials. Accused submits that he was assaulted by other jail inmates and he has already submitted complaint to the Superintendent, Central Jail on which no action was taken. The accused can approach the concerned Court having jurisdiction over the area of CJ-15 regarding his complaint of assault. No provision has been cited before me under which this Court can give direction for change of jail or the category in which accused is placed. The accused may seek appropriate remedy. **Copy of this order be given dasti to Id. Counsel for accused. .**

Matter be listed on the date already fixed i.e. **on 22.05.2018 for prosecution evidence.**

**(Rajesh Kumar Singh)**  
Special Judge (NDPS Act)  
South District, Saket/21.05.2018<sub>AR</sub>