



HIGH COURT OF CHHATTISGARH AT BILASPUR

WPIL No. 14 of 2024

IN THE MATTER OF SUO MOTO PUBLIC INTEREST LITIGATION

versus THE STATE OF CHHATTISGARH

Order Sheet

18/08/2025	This is office reference. Heard Mr.Yashwant Singh Thakur, learned Additional Advocate General appearing for respondents No.1 to 6/State. In compliance of the Court's order dated 15.07.2025 passed in M.Cr.C.No.5191/2025 the Additional Superintendent of Police (City), Durg, District Durg has filed his personal affidavit which is reproduced herein-below:- “1. That, in M.Cr.C. No. 5191/2025 Lukeshwari Josh Abraham Vs. State of Chhattisgarh, the Hon'ble Court vide order dated 15.07.2025 was pleased to direct the

	Director General of Police, State of Chhattisgarh Raipur to enquire from all the Central Jails, District Jails and Sub Jails situated in the State of Chhattisgarh as to whether any such activities relating to extortion of money from the inmates /their relatives is going on and to submit a report in WPPIL No. 14/2024. 2. It is most humbly submitted that in compliance of Hon'ble Court's order dated 15.07.2025 passed in M.Cr.C. No. 5191/2025, the Director General of Police, State of Chhattisgarh directed all the Range Inspector General of Police, Chhattisgarh and Superintendent of Police, Rail, Raipur to enquire from the Central Jails, District activities of extortion of money from the inmates /Sub Jails regarding their relatives 25.07.2025. Copy of order dated 21.07.2025 is filed submit herewith as <u>ANNEXURE D/1</u>. 3. It is respectfully submitted that in compliance of the orders, the Inspector General of Police, Durg Range informed that in the Central Jail, Durg total 87 cases regarding extortion of money (05 cases in the year 2018, 01 case in the year 2024 & 01 case in the year 2025) have been
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	registered by the Police. In 06 cases charge-sheet has also been submitted before the learned Trial Court against the accused persons and presently in 05 cases trial is going on, however in one of the case, the accused has been acquitted by the Trial Court. One of the case is pending for investigation. 4. That, according to the report received from Inspector General of Police, Bilaspur Range, in Janjgir-Champa District, Rajeshwar Rathore, R/o Village Sukli, Police Station-Janjgir, had complained to the Superintendent of Police Janjgir-Champa on 06.06.2023 against Jail Guards Purushottam Sahu and Virendra Khandekar for demanding money from his brother Rakesh Rathore. During the enquiry, the allegations were found to be proved, the Superintendent of Police Janjgir-Champa wrote a letter to the Jail Superintendent, District Jail Janjgir for necessary action through office letter 20.05.2025. Thereafter, on 29.05.2025 the Jail Superintendent, District Jail Janjgir forwarded the report to the Jail Superintendent, Central Jail Bilaspur for disciplinary action against the accused
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	persons. It is further submitted that in another District, on 14.02.2023 one Ashok Kumar Sahu, R/o case of Janjgir-Champa Village Pithampur made complaint Superintendent of Police, Janjgir-Champa regarding demanding of money and bearing by prisoner Rupesh Goswami. After due enquiry conducted by the Police, the complaint was not found proved. That in the year 2024, an FIR bearing Crime No. 152/2024 was registered by the Police for the offence punishable under Section 294, 323, 384, 327, 34 of IPC against 06 accused officers/employees of the Sub Jail, Sarangarh for abusing, beating and demanding money from the prisoners. After investigation, charge sheet has been filed before the learned Trial Court and the case is pending adjudication. 5. That, as per the report submitted by the Inspector General of Police, Surguja Range, in District Jail Jashpur, on 15.07.2015 an complaint of Dr. Kamal Upadhyay Advocate was received through E-Mail regarding abusing and demanding money for contacting through Prison Calling System with his brother Ratnakar Upadhyay by
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employee Sandeep Lakda, Jail Guard. After receiving the complaint, in compliance of the order of the Collector, Jashpur directed, an enquiry committee has been constituted on 17.07.2025 and the enquiry is under progress.

6. It is submitted that except the above complaints, no complaints from other Sub Jail, District Jail or Central Jail has been found registered. A chart showing details of complaints of extortion from Jails, action taken and present status is filed herewith as **ANNEXURE D/2**. A copy of report dated 29.07.2025 of the Director General of Police, Chhattisgarh is filed herewith as **ANNEXURE D/3**.”

In compliance of the Court's order dated 21.07.2025, the Law Officer, Central Jail, Bilaspur has filed his affidavit which is reproduced herein-below:-

“1. That, the present affidavit is being filed in compliance of the order dated 21/07/2025 passed by the Hon'ble Court.

2. That, an affidavit in compliance of the order dated 07/05/2025 was filed in which on 23/06/2025 a proposal of removal of the delinquent employee namely Sandeep Kumar Kashyap from service has been forwarded to

	the State Government with a prayer to obtain the concurrence from the Chhattisgarh State Public Service Commission and the same is still consideration. 3. That, subsequent to filing of the affidavit, the matter was again taken up for hearing on 21/07/2025 by the Hon'ble Court and the affidavit so filed in compliance of the order passed by the Hon'ble Court dated 07/05/2025, has been considered and observing that against one person namely Sandeep Kumar Kashyap, a concurrence has been sought from the Chhattisgarh State Public Service Commission and the same is still awaited, vide order dated 21/07/2025 the Hon'ble Court was further pleased to direct for filing of affidavit regarding the progress into the matter. 4. That, the deponent being the Officer-in-Charge of the case, to comply with the Hon'ble Court dated 21/07/2025, most humbly and respectfully submits that taking into consideration the gravity of the misconduct committed by the said delinquent employee, follow up communication in the shape of reminder has again been sent by the Director General of Jail and Correctional Services,
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	Chhattisgarh to the State Government proposing punishments to be imposed upon the delinquent employee with a prayer to seek concurrence from the Chhattisgarh Public Service Commission. To demonstrate this fact, copy of the letter dated 29/05/2025 is being filed herewith as <u>Annexure A/14</u> for kind perusal of the Hon'ble Court. 5. It is submitted that responding to the aforesaid letter, the State Government, Department of Jail has, vide letter dated 31/07/2025, sought further information from the Director General of Jail and Correctional Services, Chhattisgarh who in turn, has immediately supplied the information as sought for by the State Government vide letter dated 11/08/2025 and to substantiate this fact, copy of the letters dated 31/07/2025 and 11/08/2025 is being filed herewith as <u>Annexure A/15</u> <u>colly</u>. 6. It is respectfully submitted that the said proposal is still under consideration before the State Government. It is submitted that appropriate punishment would be imposed upon the said delinquent employee namely Sandeep Kumar Kashyap after receipt of the concurrence from the CGPSC.
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7. That, the contents of this affidavit have been drafted according to my instructions and the contents thereof are true and correct to the best of my personal knowledge and based upon the official records.”

So far as the affidavit dated 7.8.2025 is concerned, details have been provided of cases wherein accused persons, who were confined in criminal cases, extorted money from the family members of new inmates lodged in the same jail in connection with criminal cases. It has been reported that seven cases have been registered in Central Jail, Durg, against one Tapan Sarkar, two cases have been registered in District Jail, Janjgir, District Janjgir Champa, one case has been registered in Sub-Jail, Sarangarh, District Sarangarh-Bilaigarh and one case has been registered in District Jail Jashpur, District Jashpur. As per the affidavit, no such incidents have been reported in other jails.

It further transpires that after this Court took cognizance of the matter in M.Cr.C. No.5191/2025

Bablu	concerning the aforementioned incident at Durg, the Director General (Jail) and Correctional Services, Chhattisgarh filed an affidavit dated 13.07.2025, in compliance of the Court's order dated 4.7.2025. In the affidavit, it was submitted in para (viii) that 22 jail staff being indulged in the alleged offence of illegally taking money through Phonepe through the mobile number of one Shiva Dewangan, who is operator of Sai Nashta Centre situated near Central Jail, Durg, District Durg. It was further submitted that some action had been taken by the competent authority with respect to the jail staff. In view of the above, the Director General (Prisons), Chhattisgarh is directed to file a fresh affidavit regarding the actions taken and result of the actions taken for perusal of this Court. Let the matter be again listed on 22nd September, 2025. Sd/- (Bibhu Datta Guru) Judge Sd/- (Ramesh Sinha) Chief Justice
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