

**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

S.B. Criminal Writ Petition No. 1859/2026

Shoukat S/o Noor Mohd, Aged About 40 Years, Resident Of
Musalmano Ka Was, Lathi, Jaisalmer, Rajasthan. (Presently
Central Jail Ajmer Rajasthan)

-----Petitioner

Versus

1. State Of Rajasthan, Through Public Prosecutor
2. The Director General Of Prisons, Rajasthan, Jaipur,
Rajasthan
3. The Inspector General Of Prisons, Jaipur, Rajasthan
4. The Superintendent, Central Jail, Jodhpur, Rajasthan
5. The Superintendent, Central Jail, District Jail, Ajmer,
Rajasthan

-----Respondents

For Petitioner(s)	:	Mr. Peerane Khan
For Respondent(s)	:	Mr. Deepak Choudhary, AAG, with Mr. Surendra Bishnoi, AGA

HON'BLE MR. JUSTICE FARJAND ALI

Order

29/04/2026

1. The present writ petition has been filed seeking a direction to the respondents to transfer the petitioner from Central Jail, Ajmer to a jail in the vicinity of the place of trial, i.e. Phalodi, preferably Central Jail, Jodhpur or any other nearby jail.

2. Learned counsel for the petitioner submits that the petitioner is facing trial in Sessions Case No.36/2019 pending before the learned Additional Sessions Judge, Phalodi, District Jodhpur, arising out of FIR No.172/2018 registered at Police Station Baap.

It is contended that despite the place of trial being at Phalodi, the petitioner has been lodged in Central Jail, Ajmer, which is at a considerable distance, resulting in repeated long-distance transportation on each date of hearing.

3. It is further submitted that the petitioner's mother, aged about 71 years, is ailing and resides at Jaisalmer. The distance between Jaisalmer and Ajmer is approximately 480–500 kilometers, thereby requiring her to undertake an unduly long and onerous journey merely to meet the petitioner. It is also pointed out that the trial is still at the stage of prosecution evidence and is not likely to conclude in the near future.

4. This Court has considered the submissions and perused the material available on record.

5. It is not in dispute that the trial against the petitioner is pending at Phalodi. The distance between Phalodi and Ajmer is approximately 302 kilometers, whereas Jodhpur is only about 152 kilometers from Phalodi and Jaisalmer is about 168 kilometers therefrom. Thus, both the place of trial and the residence of the petitioner's family are situated in close proximity to the Jodhpur/Phalodi region.

6. Though Phalodi itself does not have a full-fledged central jail facility, adequate jail infrastructure is available at nearby places, including Jodhpur and Jaisalmer, which are conveniently accessible. In such circumstances, keeping the petitioner at a far-off place like Ajmer, despite availability of nearer and more convenient alternatives, results in unnecessary hardship.

7. The petitioner is required to be transported over long distances on each date of hearing, and his aged and ailing mother is compelled to undertake an excessive journey merely to meet him. Significantly, no material has been placed on record to indicate that the petitioner's lodging at Ajmer is necessitated on account of any security concern or administrative exigency.

8. In absence of any such justification, the action of the authorities in lodging the petitioner at a distant place, ignoring nearer alternatives, suffers from arbitrariness and lack of proportionality. The continued incarceration of the petitioner at a place far removed from the place of trial as well as his family, when closer and viable options are available, imposes an excessive and unjust burden and cannot be sustained.

9. Accordingly, the writ petition is allowed. The respondents are directed to transfer the petitioner from Central Jail, Ajmer to Central Jail, Jodhpur or to any other jail in the vicinity of Phalodi/Jaisalmer, as may be found administratively appropriate, within a period of four weeks from today.

10. Pending applications, if any, stand disposed of.

(FARJAND ALI),J