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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **W.P.(CRL) 2898/2024**

**MOHIT KUMAR GOYAL**

.....Petitioner

Through: Mr. Shrey Sherawat, Mr. Yash Chaturvedi, Ms. Akansha Mehta, Ms. Ishita Mishra and Mr. Himanshu Sihag, Advocates.

versus

**STATE OF NCT OF DELHI AND ORS.**

.....Respondents

Through: Mr. Rahul Tyagi, ASC (Crl) with Mr. Sangeet Sibou, Mr. Priyansh Raj Singh Senger and Mr. Aniket Kumar Singh, Advocates for State.

Mr. Anupam S Sharma, SPP with Ms. Harpreet Kalsi, Mr. Vashisht Rao, Mr. Ripudaman Sharma, Ms. Riya Sachdeva, Mr. Vijesh Jain and Mr. Anant Mishra, Advocates for CBI.  
Mr. Ravinder Kumar Bharti, Insp. CBI/ACB/Delhi.

**CORAM:**

**HON'BLE THE CHIEF JUSTICE**

**HON'BLE MR. JUSTICE TUSHAR RAO GEDELA**

**ORDER**

**11.08.2025**

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1. Noticing our concerns as to the manner in which Jails in Delhi have been reported to be functioning, on 02.05.2025, we issued the following directions:-

“5. Accordingly, we direct as under:-

(i) *The Central Bureau of Investigation shall conduct a preliminary enquiry (PE) into the matters reported by the Inspecting Judge to this Court vide his letter dated 07.04.2025. The preliminary enquiry to be conducted under this order by the CBI shall primarily proceed on the basis of the enquiry report submitted by the Inspecting Judge vide his letter dated 07.04.2025 and in the said process shall*

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*also permit the petitioner, the jail authorities and any other person to submit the evidence.*

*(ii) Office is directed to handover a copy of the report submitted by the Inspecting Judge vide his letter dated 07.04.2025 to the CBI in a sealed cover within a week from today.*

*(iii) The petitioner has also filed certain evidence in a sealed cover pursuant to our order dated 26.09.2025. The said evidence are documentary as well as in the electronic form. Accordingly, the office is directed to prepare a copy of the said evidence both documentary and electronic form and keep it with the record of this petition and handover the originals of the same to the CBI.*

*(iv) The jail authorities are also permitted to file whatever evidence and material they intend to rely on, directly to the CBI. Once the documents and materials are received by the CBI from the Court, from the petitioner as also from the jail authorities, it shall commence the preliminary enquiry and prepare a report based on the same and submit to the Court by the next date of listing.*

*(v) The Principal Secretary, Home, GNCTD is also directed to conduct an administrative enquiry/fact-finding enquiry based on the enquiry report submitted by the Inspecting Judge vide his letter dated 07.04.2025. In the said enquiry the Director General of Prisons, GNCTD shall extend all its cooperation to the Principal Secretary, Home, GNCTD. The enquiry to be conducted by the Principal Secretary, Home, GNCTD under this order shall not only be in relation to various administrative/ supervisory lapses on the part of the jail authorities but will also find out as to who are the officers/officials of the jails responsible for such lapses.*

*(vi) A copy of the enquiry report submitted by the Inspecting Judge shall be handed over to the Principal Secretary, Home, Department of GNCTD in a sealed cover by the office.*

*(vii) The said report by the Principal Secretary, Home, GNCTD will also be submitted by the next date of listing.”*

2. Pursuant to the said order passed by the Court, the Central Bureau of Investigation (CBI) has conducted a preliminary enquiry and has submitted a status report in a sealed cover, which has been opened. The status report and



the Preliminary Enquiry Report submitted to the Court by the CBI is very disturbing and reflects upon various malpractices prevalent in the Jails. The Preliminary Enquiry Report is also an indication of involvement of inmates and jail officials in various kinds of illegal and corrupt activities going on in Jails.

3. As per the status report filed by the CBI, field enquiry is almost complete and has been put up for legal analysis and orders of the Competent Authority.

4. Having perused the status report and the Preliminary Enquiry Report, we direct that based on the same, an FIR (Regular Case) be lodged and investigated by the CBI.

5. In our order dated 02.05.2025, a direction was also issued to the Principal Secretary (Home) GNCTD to conduct an administrative enquiry/fact-finding enquiry based on the report submitted by the Inspecting Judge *vide* letter dated 07.04.2025. The Director General of Prisons, GNCTD was also required to extend all his cooperation to the Principal Secretary (Home) GNCTD. The Court had directed that enquiry to be conducted by the Principal Secretary (Home) shall not only be in relation to various administrative/supervisory lapses on the part of the jail authorities but also to find out as to who are the officers/officials of the jails responsible for such lapses. The Court had also directed that the report of the enquiry to be conducted by the Principal Secretary (Home) shall be submitted to the Court by the next date of listing.

6. Learned counsel representing the Home Department, GNCTD however has stated, on instructions, that the Home Department needs some more time to conduct the said enquiry as ordered by the Court *vide* its order dated 02.05.2025. On a query made, we have been informed that on receipt of the



order of the Court dated 02.05.2025, certain directions appear to have been issued to the jail authorities to conduct an enquiry and submit a report.

7. By the next date of listing, to be fixed on 13.08.2025, the CBI shall submit its status report detailing the action which might be taken during this period for ensuring compliance of this order.

8. Let the status report alongwith the Preliminary Enquiry Report be kept in a sealed cover/safe custody with Deputy Registrar (Appellate Side).

9. The Principal Secretary (Home) GNCTD, apart from instructing the learned counsel, shall clearly apprise him as to what all has been done at the end of the Home Department after passing of the order dated 02.05.2025. The said instructions will be given to the learned counsel representing the State in writing.

10. List on 13.08.2025 to enable the learned counsel representing the GNCTD to complete his instructions.

11. The matter to be placed high on Board.

**DEVENDRA KUMAR UPADHYAYA, CJ**

**TUSHAR RAO GEDELA, J**

**AUGUST 11, 2025**  
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