HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL WRIT-PUBLIC INTEREST LITIGATION No. - 4 of 2018

In Re- Overcrowding In Prisons

.....Petitioner(s)

Versus

State Of U.P. And 2 Others

.....Respondent(s)

Counsel for Petitioner(s) :
Counsel for Respondent(s) : Ashish Mishra

Court No. - 39

HON'BLE SAUMITRA DAYAL SINGH, J.
HON'BLE SWARUPAMA CHATURVEDI, J.

1. Sri Ankit Srivastava, learned amicus curiae, Sri Anoop Trivedi, learned AAG assisted by Sri Paritosh Kumar Malviya, learned AGA-I for the State-respondents are present.

2. We have perused the affidavit of Senior Superintendent of Central Jail, Naini, District Prayagraj dated 23.05.2026.

3. It has been stated that overcrowding exists in jails. Presently, temporary measures may have been adopted by processing applications for premature release and by considering release upon the payment of fines. Those may be wholly temporary measures, against increase of capacity, required. The affidavit further discloses that the prison capacity in Uttar Pradesh is 76,162, while currently 80,326 prisoners and convicts are confined in such facilities. However, neither the breakdown under-trial prisoners and convicts nor the gender-wise or age wise distribution of these prisoners and convicts, has been disclosed.

4. Further, in any case, there is excess occupancy over capacity.

5. Third, though it has been disclosed that the capacity of the prisons is being increased and that new barracks and prisons are under construction, details of such developments have not been furnished. Thus, no details regarding the six new prisons being established has been given. Also, the stage of the individual projects, has not been disclosed. Similarly, the status of the increase in barracks has not been disclosed.

6. Let a proper affidavit be filed by the Director General (DG) of the Uttar Pradesh Prison Administration and Reform Services, preferably in a tabular form, to disclose the correct current status of overcrowding, in jails, and efforts being made to address the same, within one month.

7. List again on 01.12.2026.

(Swarupama Chaturvedi,J.) (Saumitra Dayal Singh,J.)

October 27, 2026

Anurag/-

Digitally signed by :-
ANURAG JAISWAL
High Court of Judicature at Allahabad