

CWP-PIL-68-2024

Court On Its Own Motion Vs. States of Punjab & Haryana and
U.T.Chandigarh

Present:- Mr.Saurav Khurana, Addl.A.G., Punjab.
Mr.Deepak Balyan, Addl.A.G., Haryana.

The present Public Interest Litigation is being registered on account of the request made by a Kenyan National at the time of inspection of the Ludhiana Central Jail (Women) by one of us (G.S.Sandhawalia J). The request is that being foreign nationals lodged in Jail, there is no system to get in touch with the family members having been arrested.

In such circumstances, we are of the considered opinion that a larger human rights issue arises which needs to be addressed by both the States of Punjab & Haryana to put in some policy/regulations to ensure that at least once in a month, foreign nationality convicts/under-trials are able to get in touch with their family members by way of phone-calls/video-calls which is to be arranged by the jail authorities. Reliance can be placed in **Francis Coralie Mullin Vs. The Administrator, Union Territory of Delhi & others, 1981 (1) SCC 608** wherein similar issue came up before the Apex Court regarding foreign nationals and the right to interact with a legal advisor and a family member.

Accordingly, we issue notice to both the States of Punjab and Haryana and U.T.Chandigarh through the Home Secretary.

Mr.Khurana and Mr.Balyan accept notice on behalf of States of Punjab and Haryana, respectively.

Office is directed to register the present proceedings as Public Interest Litigation and assign the case number.

List again on 02.05.2024.

(G.S. SANDHAWALIA)
ACTING CHIEF JUSTICE

(LAPITA BANERJI)
JUDGE

April 03, 2024
Sailesh