



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

S.B. Criminal Writ Petition No. 3288/2025

Sunil Alias Jenter S/o Dulichan, Aged About 34 Years, R/o Ward No. 06, Sarna Ka Baas, Police Station Sadulshahar, District Sriganganagar, Rajasthan (Presently Lodged In District Jail, Dungarpur)

-----Petitioner

Versus

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

-----Respondents

For Petitioner(s) : Mr. Jayant Garg
For Respondent(s) : Mr. Surendra Bishnoi, PP

HON'BLE MR. JUSTICE FARJAND ALI

Order

05/02/2026

1. The instant writ petition has been filed seeking directions to the respondents to re-transfer the petitioner back to the Central Jail, Sriganganagar or any other jail in the immediate vicinity of the trial courts (Sriganganagar).
2. Heard learned counsel for the parties.
3. Upon an objective consideration of the facts, this Court notes that the petitioner's family members reside within the same city and belong to a modest socio-economic background. In such circumstances, expecting them to undertake long and arduous journeys merely to meet the petitioner would impose an unreasonable and disproportionate hardship. Requiring travel from



Sri Ganganagar, situated at the western extremity of the State of Rajasthan, to Dungarpur in the southernmost region, is not only impractical but also unduly onerous.

4. It is not in dispute that the petitioner is presently incarcerated and that his family members have been regularly visiting him. However, his transfer from Sri Ganganagar Jail to Dungarpur has been effected without assigning any reasons whatsoever, much less on grounds of security or administrative exigency. Notably, Central Jails at Bikaner and Udaipur are geographically proximate and far more accessible, yet the authorities have chosen to disregard these viable alternatives.

5. The impugned transfer order, therefore, suffers from the vice of arbitrariness and lacks both justification and proportionality. By compelling the petitioner's family to traverse a distance of approximately 800 to 1000 kilometers for the sole purpose of meeting him, the order imposes an excessive and unjust burden, rendering it unsustainable in the eyes of law. Consequently, the transfer order is liable to be quashed.

6. The prisoner is presently lodged in jail, and his family members regularly visit him for the purpose of meeting. However, he has been transferred from Sriganganagar to Dungarpur without assigning any reason whatsoever, much less any specific or security-related justification. It is significant to note that Central Jails at Bikaner and Udaipur are geographically much closer and conveniently accessible; nevertheless, the authorities have chosen not to transfer him to either of these nearby prisons. The impugned transfer order is manifestly arbitrary in nature, as it



imposes an unreasonable and onerous burden upon the family members of the prisoner, who are compelled to travel a distance of approximately 800 to 1000 kilometers merely to meet him, which is wholly impracticable and unjust. Such an order, being devoid of reasons and proportionality, cannot be sustained in the eyes of law and therefore deserves to be set aside.

7. In view of the above observations, the present criminal misc. petition is allowed. The impugned order dated 03.09.2025 (Annex.3) is hereby quashed and set aside.

8. The jail administration is directed to ensure that the petitioner may not be able to threaten any person from the jail premise through a phone. It is also made clear that all the necessary arrangements in this regard shall be done.

9. Pending applications, if any, also stand disposed of.

(FARJAND ALI),J

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