

## **Jail inmates in Punjab look for 'freedom'**

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Guilty, till proven innocent. That's the way inmates are apparently treated in Punjab jails. Even the ones, allegedly involved in minor offences, have been facing criminal proceedings for over a decade.

Though long periods have lapsed since their arrest, their release on bail is still a distant dream, resulting in overcrowding in jails. The occupancy rate in some of the jails in the state is as high as 150 per cent and the situation is worst in district jails.

In some cases, the accused are not in a financial position to hire the services of "good lawyers" for filing bail pleas. In others, there is hardly anyone to furnish bail bonds, even though after the acceptance of their bail applications.

In Patiala Central Jail alone, there are around 1,400 inmates of which at least four are mentally deranged. Their well-being has become problematic even for the jail staff, yet they are there.

Among others are inmates like Jatinder Nath Pandey. Facing allegations of house trespass and theft in a dwelling unit under Sections 457 and 380 of the IPC, a case was registered against him on July 16, 2007. He was arrested within a fortnight. Until the end of last month, he was still behind bars.

Jail sources say he is not the only one. Daljit Singh was booked for attempt to murder and other offences in June last year and was arrested after about three months. Till the compilation of the data by the jail staff in April end, he was still in jail.

Another inmate Karamjit Singh was booked nearly five years ago under the provisions of the Excise Act. He has been in jail after his arrest in March. Similarly, the police booked Avinash on April 22, 2007, for causing hurt under Section 324, 326 and 34 of the IPC. Again, till the compilation of the data, he was behind bars after being arrested on March 3.

Providentially, there is some hope for the inmates, accused of minor offences. Taking a serious view of the not-so-captivating reality, Punjab and Haryana High Court

## **Undertrials aplenty**

India has one of the highest populations of undertrials with 67 per cent of the prisoners in the country facing trial. Institute of Correctional Administration's deputy director, Dr Upneet Lalli, says the percentage of undertrials in other countries is anywhere between 20 and 41, despite the high imprisonment rate.

Quoting statistics, she says it is around 20 per cent in New Zealand, 21 per cent in Australia, 32.6 per cent in Thailand and 41 per cent in Malaysia. In Japan, it is as low as 13 per cent. In Singapore, undertrials constitute just 7 per cent of the total prison population.

Judge Justice Mehtab Singh Gill has reportedly gathered around 100 bail applications from the inmates during the inspection of the jail last week.

Jail sources say the applications have now been placed before the High Court and will be taken up on the judicial side for expeditious disposal. The sources add that Justice Gill reportedly told the jail staff that he would have granted bail to accused of minor offences right there and then had the practice of issuing bail orders during the inspection rounds on the administrative side not been discontinued.

Reacting to the jail conditions, social activists-cum-High Court advocates have, meanwhile, urged the powers-to-be to call for the jail records to take up long-pending cases expeditiously. Bar association's executive member Kapil Kakkar has added cases involving minor offences should be placed on the fast track.