

**HIGH COURT OF CHHATTISGARH AT BILASPUR****WPIL No. 11 of 2013**

Shivraj Singh **versus** State of Chhattisgarh and Ors.

**WPIL/118/2017, WPC/1568/2018****Order on Board**

<b>16/01/2025</b>	Heard Mr. Sunil Pillai, learned counsel for the petitioner in WPIL No. 11/2013 and learned amicus curiae in WPIL No. 118/2017, Mr. Y.S. Thakur, learned Additional Advocate General, appearing for the State/respondents, Ms. Anmol Sharma, learned Central Government Counsel, appearing for UOI/respondents, Mr. Ashish Shrivastava, learned Senior Advocate assisted by Mr. Afroz Khan and Mr. Udit Khatri as well as Ms. Shristhi Upadhyay, learned counsel appearing for the Chhattisgarh State Legal Services Authority and Mr. Sajal Kumar Gupta, learned counsel holding brief of Mr. Sourabh Dangi,

learned counsel, appearing for respondent No.4 in WPC No. 1568/2018.

Mr. Pillai states that even if one incident of unnatural death of prison comes, the State does not have any Scheme to compensate the family members as it is a fundamental right of a prisoner that his life will be safe in prison also under Article 21 of the Constitution of India.

In compliance of the Court's order dated 27.08.2024 and 25.09.2024, an affidavit has been filed by Director General, Prisons and Correctional Services, Chhattisgarh. From perusal of which goes to show that some remedial measures have already been taken by the jail authorities time and again and in that regard certain instructions and public circulars have also been annexed. As per the chart annexed as Annexure-A/1 alongwith the said affidavit, no doubt from 2019 to 2024 there is decrease in the case of unnatural death in prison and only one natural death is reported to be taken place in the year 2024.

But, as the concern which has been pointed by learned amicus curiae, which is also the concern of the Court that a person, who is in prison, has right to be protected under Article 21 of the Constitution of India for which the Court hopes and trusts that the State may brings out a Scheme for compensating the family members of the prisoner, who died in unnatural circumstances in jail and if required, necessary legislation may also be brought by the State.

Let the matters be listed again for further monitoring on 2<sup>nd</sup> April, 2025.

Sd/-  
**(Ravindra Kumar Agrawal)**  
Judge

Sd/-  
**(Ramesh Sinha)**  
Chief Justice