

221

CWP-2264-2024 (O&M)

**COURT ON ITS OWN MOTION  
VS  
STATE OF PUNJAB AND OTHERS**

Present: None for the applicant in  
(CM Nos.3820-CWP-2024 and 3822-CWP-2024)

Mr. Avnish Mittal, Addl. Advocate General, Punjab.

Mr. Satya Pal Jain, Additional Solicitor General of India with  
Mr. Dheeraj Jain, Sr. Panel Counsel  
for Union of India.

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A letter dated 11.07.2024 addressed to Mr. Satyapal Jain, Additional Solicitor General of India has been placed on record in which it has been mentioned that repatriation of six Pakistani civil prisoners is likely to take place on 26.07.2024 through Attari, ICP. The details of said six Pakistani civil prisoners given in the said letter read as under:-

<i>S. No.</i>	<i>Name with Parentage</i>	<i>Current Status</i>
1	<i>Mohd. Ikhtlaq s/o Mohd. Ichhaq @ Abdula @ Mohd. Ishak</i>	<i>Repatriation approved on 26.07.2024</i>
2	<i>Alla Bassaya Masih @ Alla Bamma s/o Abdul Masih @ Abdulla Masih</i>	<i>Repatriation approved on 26.07.2024</i>
3	<i>Faqir Hussain @ Tanveer s/o Qasam Ali @ Mohammad Hussain</i>	<i>Repatriation approved on 26.07.2024</i>
4	<i>Akbar Masih s/o Talib Masih s/o Swaina Masih</i>	<i>Repatriation approved on 26.07.2024</i>
5	<i>Tariq Mahmood s/o Muner</i>	<i>Repatriation approved on 26.07.2024</i>
6	<i>Wasim Irshad s/o Irshad Mohammad</i>	<i>Repatriation approved on 26.07.2024</i>

Regarding remaining 24 prisoners, same is under active consideration of the Ministry and all the stakeholders.

Mr. Satyapal Jain, Additional Solicitor General of India, submits that regarding the 3<sup>rd</sup> juvenile prisoner namely Ali also, counselor access has been provided as efforts are being made. It is apparent that Union of India is still dragging its feet over the sensitive issue of repatriating the persons who are continuing to stay in custody despite the sentences having been completed.

Accordingly, in case, needful is not done, exemplary costs will be imposed on the Union of India on the next date of hearing.

State of Punjab has filed the affidavit of Surinder Singh, Deputy Inspector General of Prisons, Punjab, on the other issue of renovation of washroom in the barracks of Sub-jail Pathankot of which also shows again the factum that no active consideration is being done since only estimated costs of Rs.71,10,000/- has been sanctioned and the Punjab Police Housing Corporation is to float the tender for the repair and renovation of washroom in barracks. It is to be noticed that the last order was passed on 02.05.2024 and a period of two months have gone by. Resultantly, State of Punjab is also put to notice regarding the imposition of exemplary costs to be paid by the officials concerned in case no positive action is taken by the next date of hearing.

Adjourned to 10.09.2024.

**(G.S. SANDHAWALIA )**  
**JUDGE**

**(VIKAS BAHL)**  
**JUDGE**

**11.07.2024**

*Pawan*