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**Sameer K vs Superintendent of Tihar Jail & Ors.**

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**SooperKanoon Citation** : sooperkanoon.com/1275522

**Court** : Delhi

**Decided On :** Apr-01-2026

**Judge** : Hon'Ble Mr. Justice Tejas Karia

**Appeal No.** : W.P.(CRL)/1047/2026

**Appellant** : Sameer K

**Respondent** : Superintendent of Tihar Jail & Ors.

**Advocate for Def.** : Ms. Manisha Agarwal Narain, Mr. Ishkaran Bhandari, Mr. Nipun Jain, Mr. Piyush Yadav, Mr. Harsh, Mr. Ishkaran Singh Bhandari, Mr. Harsh Vardhan Jha, Ms. Radhika Bishwajit Dubey, Ms. Rupali Sinha, Ms. Gurleen Kaur Waraich, Mr. Kritarth Upadhyay, Mr. Amulya Dev Mishra

**Advocate for Pet/Ap.** : Mr. Deepak Prakash

**Judgement** :

> * IN THEHIGH COURTOF DELHIAT NEW DELHI + W.P.(CRL) 1047/2026, CRL.M.A. 9810/2026&CRL.M.A. 9811/2026 SAMEER K .....Petitioner Through: Mr Deepak Prakash, Adv. (through VC)
>
> versus

SUPERINTENDENT OF TIHAR JAIL & ORS. .....Respondents Through: Ms. Manisha Agarwal Narain, CGSC and Mr. Ishkaran Bhandari, CGSC with Mr. Nipun Jain, Mr. Piyush Yadav and Mr. Harsh, Advs. for R-1,3 and 4 Mr. Ishkaran Singh Bhandari, CGSC with Mr. Piyush Yadav, Mr. Harsh Vardhan Jha, Advs. Ms. Radhika Bishwajit Dubey, CGSC with Ms. Rupali Sinha, GP, Ms. Gurleen Kaur Waraich, Mr. Kritarth Upadhyay and Mr. Amulya Dev Mishra, Advs. for DHC.

CORAM:

HONBLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE TEJAS KARIA

## ORDER

% 01.04.2026

1. Heard learned counsel for the parties.

2. We may note that the instant petition cannot be entertained as a public

interest litigation petition for the reason that on one hand, certain prayers have been made which are general in nature and on the other hand, personal grievances in relation to certain Court case, which is pending against the petitioner, have also been raised.

3. We may specifically refer to prayer Clause (f) whereby a direction has

been sought for stay of proceedings of Court case No.13911 of 2017 pending before the Court of Judicial Magistrate 1st Class, (N.I. Act)-09, South West, Dwarka, New Delhi. We may also refer to prayer (e), (g) & (h) wherein a prayer has been made for grant of compensation to the petitioner.

4. Ms. Dubey, learned counsel representing the High Court has drawn our

attention to prayer (b) whereby a direction has been sought to take action and enquire into complaint dated 16.12.2024. Ms. Dubey has produced the minutes of the Vigilance Committee for Members of DHJS and DJS headed by a sitting Judge of this Court held on 28.01.2025, wherein the said complaint has been considered and it was opined by the said Committee that there is no vigilance angle in the complaint. The complaint was, accordingly, closed. The minutes of the meeting of the said Committee are taken on record.

5. As already observed above, certain prayers have been made which are

related to certain personal causes of action, whereas prayer (a) made in the writ petition seeks a direction to be issued to the Superintendent of Tihar Jail for updating and modernizing the digital system within Tihar Jail to ensure the efficient and timely processing of release orders, preventing violation of rights of the detenues.

6. Such an amalgam of prayers, in our opinion, cannot be taken in a single

writ petition. The petition, certainly, suffers from the vice of misjoinder of causes of action. Further, any prayer made in the interest of the petitioner cannot be granted in public interest litigation.

7. It is for this reason that the High Court Rules require a declaration to be made by a petitioner filing a petition in public interest that by filing such a petition, no personal interest has been espoused.

8. For the aforesaid reason, we do not find any good ground to interfere in the present petition and the same is, hereby, dismissed.

9. At this juncture, learned counsel for the petitioner states that he may be

permitted not to press the prayers (e), (f), (g) and (h). We are unable to accede to the said prayer for the reason that no person can be permitted

to take the Court at surprise by first filing the writ petition and once it is pointed out that the petition is misconceived, by making a prayer for not pressing certain prayers and prosecute the petition for other prayers.

10. The prayer made is, thus, rejected. DEVENDRA KUMAR UPADHYAYA, CJ TEJAS KARIA, J APRIL 1, 2026 N.Khanna

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