

COCP_3538_2018_PAPER_BOOK 21-Nov-2018 at 12:39

IN THE HON'BLE HIGH COURT FOR THE STATES OF PUNJAB
AND HARYANA AT CHANDIGARH

COCP No. 3538 of 2018

Dr. Lucky @Jai Hind Gupta

.....Petitioner

Versus

Dr. G.S Bhinder & anr.

.....Respondents

INDEX

S.No.	Particulars		Dated	Pages	Court Fee
A.	Urgent Form		24/09/2018	A	5-00
B.	INDEX		-do-	B	1-00
C.	Court Fee Form		-do-	C	
1.	Civil Contempt Under Article 215 read with U/s 10 and 12 of Court Act, 1971			1-5	5-00
2.	Affidavit			6	1-00
3.	FIR NO.343 DT.19/8/2017 PS Basti jodhewal, Ludhiana	P-1	19.08.2017	7-13	7-00
4.	Application Submitted to the court of Sh.Sushil Bodh, JMIC for medical Examination	P-2	09.09.2017	14-15	2-00
5.	Application Submitted to the court of Sh.Sushil Bodh, JMIC for medical Examination	P-3	13.09.2017	16-17	2-00
6.	Order passed by Sh.sushil bodh	P-4	19.09.2017	18-19	2-00
7.	Medical Report Submitted by Doctor only for Mukesh Thakur	P-5	26.09.2017	20-21	2-00
8.	Medical Report of Lucky@ jai hind Submitted by Dr. Harsh ketan sharma	P-6	27.11.2017	22	1-00
	Vernacular				
9.	FIR NO.343 DT.19/8/2017 PS Basti jodhewal, Ludhiana	P-1	19.08.2017	23-27	5-00
10.	Power of Attorney		24.09.2018	28	

Total Court Fee Rs. — 31-00

Note:

- 1- That the law points involved in the present contempt petition are contained in Para No. 10 at page No.2.
- 2- Relevant Act/Rules/Statutes : Contempt of Courts Act, 1971
- 3- Similar case if any - Nil
- 4- Whether any caveat - No

CHANDIGARH

Dated: 08.10.2018

SANJEEV SHARMA,

COUNSEL FOR THE PETITIONER
(P/863/2013)

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IN THE HON'BLE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

Memo of Parties

COCP No. 3538 of 2018

Dr. Lucky @ Jai Hind Gupta (Aged 34 years) S/o Heera Lal R/o Tibba
Road, Basti Jodhewal, Ludhiana

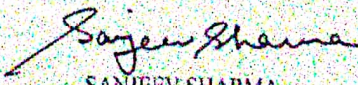
.....Petitioner

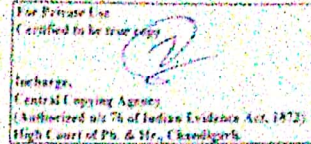
Versus

1. Dr. G. S Bhinder, the then posted as Medical Officer at Central
Jail, Tajpur Road, Ludhiana
2. Surinder Pal Khanna Jail Superintendent, son of not
known, Central Jail, Tajpur Road, Ludhiana.

.....Respondents

CHANDIGARH
Dated: 08.10.2018


SANJEEV SHARMA,
COUNSEL FOR THE PETITIONER
(P/863/2013)



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Petition under section 2(b) of Contempt of Courts Act, 1971 , for willful disobedience of the Judicial decision pronounced by the Hon'ble Court, Ludhiana on 19.09.2017 in case titled Dr.Lucky @ Jai Hind Gupta and ors. Versus State of Punjab, FIR No.343 of 19.8.2017 Under Section 379B, 506, 120B IPC, P.S.-Basti Jodhewal Ludhiana.
(Annexure-P4)

GROUNDS OF PETITION

1. That the petitioner is a citizen of india and working as a Doctor in Ludhiana having his own personal practice .
2. That on 19/08/2017, an FIR No. 343 was registered against the Petitioner u/s 379(B) 120B, 506 of IPC at Police station Basti Jodhewal, Ludhiana(Annexure P1).
3. That the petitioner was arrested along with Mukesh Thakur on 19/08/2017 . and was sent in judicial custody.
4. That the petitioner was produced before Ms Ekta, JMIC and was sent in judicial custody on 20.08.2017.
5. That the petitioner was beaten by the police. That an application was submitted for carrying out the medical of petitioner on 09.09.2017 (Annexure P2).

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6. That another application was submitted for carrying out the medical of petitioner on 13.09.2017 (Annexure P3).
7. That a judicial order was passed by the court of Dr.Sushil Bodh, Ld. Judicial Magistrate First Class/Ludhiana on this application and the respondents were directed to carry out the medical of the petitioner and to submit the report by 19.09.2017 (Annexure P4)
8. That the respondents submitted the medical report of Mukesh Thakur only and not that of the petitioner (Annexure P5)
9. That after released on bail, the petitioner got himself medically examined by Govt Doctor Harsh Ketan Sharma who diagnosed a three month old fracture (Annexure P6).
10. That there are following questions of law which are to be determined in the present petition:-

POINTS OF LAW INVOLVED

1. *Whether willful disobedience of the judicial order by the respondents make them liable to be prosecuted under section 2(b) of Contempt of Courts Act, 1971*
2. *Whether petitioner is entitled to compensation from the respondents for physical and mental injuries undergone by him?*

ON MERITS

11. That therefore the petitioner craves indulgence of this Hon'ble Court, may prayer for issuance of the appropriate directions and holding the respondents guilty for the offence under the

Sajee Sharma

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Contempt of Court Act. The majesty of law may be upheld and the respondents may be restrained from over reaching the court proceedings.

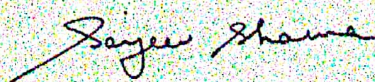
12. That thus there is gross willful violation of orders of the Hon'ble Court, Ludhiana committed by the respondents. The respondents are thus liable to be punished under the Contempt Act, on their sheer willful approach towards the orders of the Hon'ble Court, Ludhiana.
13. That the petitioner has not filed any such similar petition either in this Hon'ble High Court or the Hon'ble Supreme Court of India.

RELIEF SOUGHT

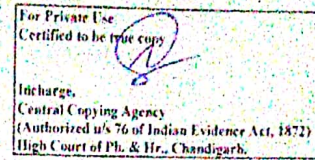
It is therefore, respectfully prayed that the present contempt petition may kindly be allowed and the contemnors may kindly be punished on account of willful disobedience, Civil Contempt Under sections 2(b) of Contempt of Courts Act of 1971, for disobedience of the Judicial decision pronounced by the Hon'ble Court on 19.09.2017,

It is also prayed that the petitioner should be given a compensation of rupees five lakhs under section 357(3) of Cr PC for physical and mental injuries undergone by him.

It is further prayed that exemption from filing the certified copies of the annexures may kindly dispensed with, in the interest of justice.



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Verification:

lucky @Jugra

It is verified that all facts are best to the knowledge as my client
declared before me.

CHANDIGARH

Dated: 08.10.2018

Sanjeev Sharma
SANJEEV SHARMA

COUNSEL FOR THE PETITIONER

(P/863/2013)

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

COCP NO. 3538 /2018

Dr. Lucky @ Jai Hind Gupta (Aged 34 years) S/o Heera Lal R/o Tibba Road,
Basti Jodhewal, Ludhiana

.....Petitioner

Versus

1. Dr. G. S Bhinder, the then posted as Medical Officer at Central Jail,
Tajpur Road, Ludhiana
2. Surinder Pal Khanna Jail Superintendent, son of not known, Central
Jail, Tajpur Road, Ludhiana.

Affidavit Dr. Lucky @ Jai Hind Gupta (Aged 34 years) S/o Heera Lal
R/o Tibba Road, Basti Jodhewal, Ludhiana

I, the above named deponent do hereby solemnly affirm and declare
as under:-

1. That the contents of paras no. 1 to 9 and contents of para no. 11 and
13 of the Civil Ordinary Contempt petition are true and correct to my
knowledge and the contents of para no. 10 are legal, believes to be
true as per the advise sought from the counsel. No part of it is false
and nothing has been kept concealed there from.

Identify the deponent
who is
ma. Sajeev
Shame

Chandigarh

Dated: 08.10.2018

Lucky @ Jai Hind
Deponent
Dr. Lucky @ Jai Hind Gupta

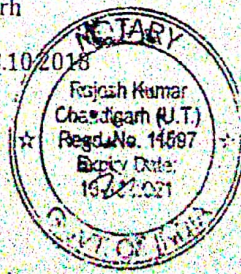
Verification:-

Verified that the contents of above affidavit are true and correct to
the best of my knowledge. No part of it, is false and nothing has been kept
concealed therefrom.

Chandigarh

Dated: 08.10.2018

Lucky @ Jai Hind
Deponent
Dr. Lucky @ Jai Hind Gupta



* ATTESTED AS IDENTIFIED

NOTARY, CHANDIGARH (U.T.)

= 8 OCT 2018

For contents of this Affidavit, I am responsible.
I have read the contents of this Affidavit and
I have verified the contents of this Affidavit
as per the best of my knowledge and belief.
at Sr. No. 10, P. No. 10, dated 08/10/2018.

FIRST INFORMATION REPORT

(Under Section 154 Cr.P.C.)
(ਅੱਵਲ ਸੂਚਨਾ ਰਿਪੋਰਟ)
(ਧਾਰਾ 154 ਦੰਡ ਪ੍ਰਕਿਰਿਆ ਸਹਿਤਾ ਦੇ ਤਹਿਤ)

1. District (ਜ਼ਿਲ੍ਹਾ) : POLICE COMMISSIONERATE P.S.(ਥਾਣਾ) : JODHEWAL Year(ਸਾਲ) : 2017
LUDHIANA

FIR No. 0343 Date and Time of FIR 19/08/2017 08:50 hrs
(ਐਫ.ਆਈ.ਆਰ ਨੰ.): (ਐਫ.ਆਈ.ਆਰ ਦੀ ਤਰੀਕ ਅਤੇ ਸਮਾਂ):

2. S.No.(ਲੜੀ ਨੰ.)	Acts (ਕਾਨੂੰਨ)	Sections (ਧਾਰਾਵਾਂ)
1	IPC 1860	379B
2	IPC 1860	506
3	IPC 1860	120-B

3. (a) Occurrence of offence (ਅਪਰਾਧ ਦੀ ਘਟਨਾ):

1. Day(ਦਿਨ): Friday Date From (ਤਰੀਕ ਤੋਂ): 18/08/2017 Date To (ਤਰੀਕ ਤਕ): 18/08/2017
Time Period (ਸਮਾਂ ਮਿਆਦ): Pahar 7 Time From (ਸਮੇਂ ਤੋਂ): 21:00 hrs Time To (ਸਮੇਂ ਤਕ): 21:00 hrs

(b) Information received at P.S.(ਥਾਣੇ ਵਿਚ ਸੂਚਨਾ ਪ੍ਰਾਪਤ ਹੋਣ ਦੀ ਮਿਤੀ ਅਤੇ ਸਮਾਂ): Date (ਮਿਤੀ): 19/08/2017 Time (ਸਮਾਂ): 08:50 hrs

(c) General Diary Reference (ਰੋਜਨਾਮਚਾ ਸੰਦਰਭ): Entry No. (ਪ੍ਰਵਿਸ਼ਟੀ ਨੰ.): 003 Date & Time (ਤਰੀਕ ਅਤੇ ਸਮਾਂ): 19/08/2017 18:55 hrs

4. Type of Information (ਜਾਣਕਾਰੀ ਦੀ ਕਿਸਮ): Written

5. Place of Occurrence (ਘਟਨਾ ਸਥਾਨ):

1. (a) Direction and distance from P.S. (ਥਾਣੇ ਤੋਂ ਦੂਰੀ ਅਤੇ ਦਿਸ਼ਾ): EAST, 3 Km(s) Beat No. (ਬੀਟ ਨੰ.):

(b) Address (ਪਤਾ): ST NO 2 MOHALLA RAM NAGAR, TIBBA ROAD LUDHIANA

(c) In case, outside the limit of this Police Station, then (ਜੇਕਰ ਥਾਣਾ ਸੀਮਾ ਤੋਂ ਬਾਹਰ ਹੈ ਤਾਂ)

Name of P.S. (ਥਾਣੇ ਦਾ ਨਾਮ): District(State) (ਜ਼ਿਲ੍ਹਾ (ਰਾਜ)):

6. Complainant / Informant (ਸ਼ਿਕਾਇਤਕਰਤਾ /ਸੂਚਨਾਕਰਤਾ):

- (a) Name (ਨਾਮ): JOGINDER SINGH
(b) Father's Name (ਪਿਤਾ ਦਾ ਨਾਮ) : PRITAM SINGH
(c) Date/Year of Birth (ਜਨਮ ਤਰੀਕ/ਸਾਲ): 1962
(e) UID No(ਯੂਆਈਡੀ ਨੰ.): (d) Nationality(ਰਾਸ਼ਟਰੀਅਤ): INDIA
(f) Passport No. (ਪਾਸਪੋਰਟ ਨੰ.): Date of Issue (ਜਾਰੀ ਕਰਨ ਦੀ ਮਿਤੀ):
Place of Issue
(ਜਾਰੀ ਕਰਨ ਦਾ ਸਥਾਨ):
(g) Id details (Ration Card, Voter ID Card, Passport, UID No.,

S.No. (ਲੜੀ ਨੰ.)	Id Type (ਪਛਾਣ ਪੱਤਰ ਦੀ ਕਿਸਮ)	Id Number (ਪਛਾਣ ਨੰਬਰ)
1		

(h) Address (ਪਤਾ):

S.No. (ਲੜੀ ਨੰ.)	Address Type (ਪਤੇ ਦੀ ਕਿਸਮ)	Address (ਪਤਾ)
1	Present Address	14047, ST NO 2, MOHALLA RAM NAGAR TIBBA ROAD, JODHEWAL, POLICE COMMISSIONERATE LUDHIANA, PUNJAB, INDIA
2	Permanent Address	14047, ST NO 2, MOHALLA RAM NAGAR TIBBA ROAD, JODHEWAL, POLICE COMMISSIONERATE LUDHIANA, PUNJAB, INDIA

(i) Occupation (ਕਿੱਤਾ):

Phone number

Mobile

(j) (ਟੈਲੀਫੋਨ ਨੰ.):

(ਮੋਬਾਇਲ ਨੰ.):

Details of known/suspected/unknown accused with full particulars

7. (ਵਾਕਿਫ਼/ਸ਼ੱਕੀ/ਅਗਿਆਤ ਮੁਲਜ਼ਮ ਦਾ ਪੂਰੇ ਵੇਰਵੇ ਸਹਿਤ ਵਰਣਨ):

Accused More Than(ਇੱਕ ਤੋਂ ਵੱਧ ਅਪਰਾਧੀ ਦੀ ਗਿਣਤੀ):

S.No. (ਲੜੀ ਨੰ.)	Name (ਨਾਮ)	Alias (ਉਪਨਾਮ)	Relative's Name (ਰਿਸ਼ਤੇਦਾਰ ਦਾ ਨਾਮ)	Present Address (ਮੌਜੂਦਾ ਪਤਾ)
1	DOCTOR LUCKY JAIHIND			1. RAM NAGAR TIBBA ROAD, JODHEWAL, POLICE COMMISSIONERATE LUDHIANA, PUNJAB, INDIA

2	MUKESH THAKUR			1. MOHALLA RAM NAGAR TIBBA ROAD, JODHEWAL, POLICE COMMISSIONERATE LUDHIANA, PUNJAB, INDIA
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8. Reasons for delay in reporting by the complainant/informant
(ਸ਼ਿਕਾਇਤਕਰਤਾ/ਸੂਚਨਾਕਰਤਾ ਰਾਹੀਂ ਰਿਪੋਰਟ ਦੇਰੀ ਨਾਲ ਦਰਜ ਕਰਾਉਣ ਦਾ ਕਾਰਨ):

9. Particulars of properties of interest (ਸਬੰਧਿਤ ਜਾਇਦਾਦ ਦਾ ਵੇਰਵਾ):

S.No. (ਲੜੀ ਨੰ.)	Property Category (ਜਾਇਦਾਦ ਦੀ ਸ਼੍ਰੇਣੀ)	Property Type (ਜਾਇਦਾਦ ਦੀ ਕਿਸਮ)	Description (ਵੇਰਵਾ)	Value(In Rs/-) (ਰਕਮ (ਰੁ ਚ))
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10 Total value of property stolen(In Rs/-)
(ਚੋਰੀ ਹੋਈ ਜਾਇਦਾਦ ਦਾ ਕੁੱਲ ਮੁੱਲ(ਰੁ ਵਿੱਚ)):

11 Inquest Report / U.D. case No., if any (ਤਫਤੀਸ਼ੀ ਰਿਪੋਰਟ / ਯੂ.ਡੀ.ਪ੍ਰਕਰਣ ਸੰ., ਜੇਕਰ ਕੋਈ ਹੋਵੇ):
S.No. (ਲੜੀ ਨੰ.) UIDB Number (ਯੂ.ਡੀ.ਪ੍ਰਕਰਣ ਸੰ.)

12 First Information contents (ਵੇਰਵਾ):

ਬਿਆਨ ਅਜਾਨੇ ਜੁਗਿੰਦਰ ਸਿੰਘ S/O ਸ: ਪ੍ਰੀਤਮ ਸਿੰਘ ਵਾਸੀ ਮਕਾਨ ਨੰ: 14047 ਗਲੀ ਨੰ: 2 ਰਾਮ ਨਗਰ ਟਿੱਬਾ ਰੋਡ ਥਾਣਾ ਜੋਧੇਵਾਲ ਲੁਧਿਆਣਾ ਉਮਰ ਕਰੀਬ 55 ਸਾਲ। ਬਿਆਨ ਕੀਤਾ ਕਿ ਮੈਂ ਉਕਤ ਪਤੇ ਦਾ ਰਹਿਣ ਵਾਲਾ ਹਾਂ ਕੁੱਲ ਮਿਤੀ 18/08/17 ਦੀ ਰਾਤ ਕਰੀਬ 9 ਵਜੇ ਮੈਂ ਖਾਣਾ ਖਾਣ ਤੋਂ ਬਾਅਦ ਆਪਣੇ ਘਰ ਦੇ ਗੇਟ ਪਰ ਖੜਾ ਸੀ ਤਾਂ ਮੇਰੇ ਘਰ ਦੇ ਸਾਹਮਣੇ ਜੈ ਹਿੰਦ ਕਲੀਨਿਕ ਦੇ ਡਾ: ਲੱਕੀ ਜੈ ਹਿੰਦ ਤੇ ਮੁਕੇਸ਼ ਠਾਕੁਰ ਆਪਸ ਵਿੱਚ ਗੱਲਾ ਕਰ ਰਹੇ ਸੀ ਤੇ ਮੈਨੂੰ ਦੇਖ ਕੇ ਉਹ ਮੇਰੇ ਕੋਲ ਆ ਗਏ ਤੇ ਧਮਕੀ ਭਰੇ ਲਹਿਜੇ ਵਿੱਚ ਕਹਿਣ ਲੱਗੇ ਕਿ ਤੂੰ ਸਾਡੇ ਖਿਲਾਫ ਮੁਕੱਦਮਾ ਦਰਜ ਕਰਕੇ ਸਾਡਾ ਕੀ ਵਿਗਾੜ ਲਿਆ, ਹੁਣ ਅਸੀਂ ਤੇਰੇ ਪਾਸੇ ਇਸ ਮੁਕੱਦਮੇ ਪਰ ਆਏ ਖਰਚੇ ਦੇ ਇਵਜ ਵਿੱਚ ਜਬਰਦਸਤੀ ਪੈਸੇ ਲਵਾਗੇ, ਤੂੰ ਤੇ ਤੇਰਾ ਲੜਕਾ ਸੁਖਦੇਵ ਸਿੰਘ ਸਾਨੂੰ ਇੱਕ ਲੱਖ ਰੁਪਏ ਦਿਉ, ਜੇ ਪੈਸੇ ਨਾ ਦਿੱਤੇ ਤਾਂ ਅਸੀਂ ਸਾਡੀ ਸੰਸਥਾ ਜਾਗ੍ਰਿਤੀ ਅਭਿਆਨ ਰਾਹੀਂ ਤੇਰੇ ਸਰਕਾਰੀ ਨੌਕਰੀ ਕਰਦੇ ਲੜਕੇ ਤੇਰੇ ਅਤੇ ਤੁਹਾਡੀ ਮੱਦਦ ਕਰਨ ਵਾਲੇ ਵਿਅਕਤੀਆਂ ਖਿਲਾਫ ਇਸ਼ਤਿਹਾਰ ਸਪਕੇ ਤੇ ਸਮਾਜ ਵਿੱਚ ਵੰਡ ਕੇ ਤੁਹਾਨੂੰ ਸਮਾਜ ਵਿੱਚ ਬੇਇਜ਼ਤ ਕਰਾਗੇ ਤੇ ਤੇਰੇ ਲੜਕੇ ਸੁਖਦੇਵ ਸਿੰਘ ਨੂੰ ਸਰਕਾਰੀ ਨੌਕਰੀ ਤੇ ਕੱਢਵਾ ਦੇਵਾਗੇ ਨਹੀਂ ਤਾਂ ਸਾਡੀ ਮੰਗ ਅਨੁਸਾਰ ਇੱਕ ਲੱਖ ਰੁਪਏ ਸਾਨੂੰ ਦਿਉ, ਪੈਸੇ ਨਾ ਦੇਣ ਦੀ ਸੂਰਤ ਵਿੱਚ ਤੇਰਾ, ਤੇਰੇ ਲੜਕੇ ਤੇ ਤੇਰੇ ਹਮਾਇਤੀਆ ਦਾ ਸਮਾਜ ਵਿੱਚ ਜਲੂਸ ਕੱਢ ਦੇਵਾਗੇ। ਸਾਡੀ ਸੰਸਥਾ ਪਹਿਲਾਂ ਵੀ ਕਈ ਇੱਜ਼ਤਦਾਰ ਵਿਅਕਤੀਆਂ ਨੂੰ ਸਮਾਜ ਵਿੱਚ ਬਦਨਾਮ ਕਰ ਚੁੱਕੀ ਹੈ। ਜੇ ਸਾਡੇ ਵੱਲੋਂ ਪਹਿਲੇ ਮੁਕੱਦਮੇ ਵਿੱਚ ਛਾਪੇ ਗਏ ਇਸ਼ਤਿਹਾਰਾਂ ਸਬੰਧੀ ਤੈਨੂੰ ਪਹਿਲਾਂ ਵੀ ਪਤਾ ਲੱਗ ਗਿਆ ਹੋਵੇਗਾ। ਜਿਸ ਪਰ ਮੈਂ ਡਰ ਕੇ ਮੁਕੇਸ਼ ਠਾਕੁਰ ਨੂੰ ਕਿਹਾ ਕਿ ਮੇਰੀ ਜੇਬ ਵਿੱਚ ਇਸ ਵਕਤ 2 ਹਜ਼ਾਰ ਰੁਪਏ ਹਨ ਮੈਂ ਆਪਣੀ ਜੇਬ ਵਿੱਚੋਂ ਪੈਸੇ ਕੱਢ ਕੇ ਮੁਕੇਸ਼ ਠਾਕੁਰ ਨੂੰ ਦਿਖਾਉਣ ਲੱਗਾ ਤੇ ਕਿਹਾ ਕਿ ਮੇਰੇ ਕੋਲ ਇਸ ਸਮੇਂ ਇੰਨੇ ਪੈਸੇ ਹਨ ਤਾਂ ਮੁਕੇਸ਼ ਠਾਕੁਰ ਨੇ ਝੱਪਟ ਮਾਰ ਕੇ ਮੇਰੇ ਹੱਥੋਂ ਪੈਸੇ 2 ਹਜ਼ਾਰ ਰੁਪਏ ਖੋਹ ਲਏ ਤੇ ਹੋਰ ਪੈਸੇ ਜਲਦੀ ਦੇਣ ਦੀਆਂ ਧਮਕੀਆਂ ਦਿੰਦੇ ਮੌਕਾ ਤੇ ਆਪਣੇ -2 ਘਰਾ ਵੱਲ ਚਲੇ ਗਏ। ਮੇਰਾ ਬੇਟਾ ਸੁਖਦੇਵ ਸਿੰਘ ਡਿਊਟੀ ਤੇ ਘਰ ਆਇਆ ਤਾਂ ਮੈਂ ਉਸ ਨੂੰ ਦੱਸਿਆ ਤੇ ਹੁਣ ਸਲਾਹ ਕਰਕੇ ਥਾਣੇ ਇਤਲਾਹ ਦੇਣ ਜਾ ਰਹੇ ਸੀ, ਆਪ ਮਿਲ ਗਏ ਹੋ ਸਮੇਤ ਆਪਣੇ ਲੜਕੇ ਆਪ ਪਾਸ ਆਪਣਾ ਬਿਆਨ ਲਿਖਾ ਦਿੱਤਾ ਸੁਣ ਲਿਆ, ਪੜ ਲਿਆ ਠੀਕ ਹੈ ਕਾਰਵਾਈ ਕੀਤੀ ਜਾਵੇ, SD/-Joginder Singh 98151-75204, ਤਾਇਦ ਬਿਆਨ Sd/- Sukhdev Singh 98888-80660, ਤਸਦੀਕ Sd/-ਸੁਲੱਖਣ ਸਿੰਘ ASI ਥਾਣਾ ਬਸਤੀ ਜੋਧੇਵਾਲ ਲੁਧਿਆਣਾ 19-8-17 ਕਾਰਵਾਈ ਪੁਲਿਸ :- ਅੱਜ ਮਨ ASI ਸਮੇਤ HC ਵਿਜੈ ਕੁਮਾਰ 776, HC ਰਾਧੇ ਸ਼ਾਮ 2124 ਤੇ C ਅਰੁਨਦੀਪ ਸਿੰਘ 3342 ਦੇ ਗਸ਼ਤ ਦੇ ਸਬੰਧ ਵਿੱਚ ਬਸਤੀ ਚੌਕ ਨੇੜੇ ਪਾਲ ਡਿਪਾਰਟਮੈਂਟ ਸਟੋਰ ਮੌਜੂਦ ਸੀ ਤਾਂ ਇਤਲਾਹੀਆ ਨੇ ਸਮੇਤ ਆਪਣੇ ਬੇਟੇ ਸੁਖਦੇਵ ਸਿੰਘ ਦੇ ਹਾਜ਼ਰ ਆ ਕੇ ਆਪਣਾ ਉਕਤ ਬਿਆਨ ਤਹਿਰੀਰ ਕਰਾਇਆ ਜੋ ਹਰਫ ਬਾ ਹਰਫ ਲਿਖ ਕਰਕੇ ਪੜ ਕਰ ਸੁਣਾਇਆ ਜਿਸ ਨੇ ਸੁਣ ਕੇ ਤੇ ਸਹੀ ਮੰਨ ਕੇ ਜੇਰੇ ਬਿਆਨ ਆਪਣੇ ਦਸਤਖਤ ਅੰਗਰੇਜ਼ੀ ਵਿੱਚ ਕੀਤੇ ਬਿਆਨ ਦੀ ਤਾਇਦ ਸੁਖਦੇਵ ਸਿੰਘ ਨੇ ਤੇ ਤਸਦੀਕ ਮਨ ASI ਨੇ ਕੀਤੀ। ਮਜਬੂਨ ਬਿਆਨ ਤੋਂ ਜੁਰਮ 379-B(2), 506, 120-B IPC ਦਾ ਹੋਣਾ ਪਾਇਆ ਜਾਂਦਾ ਹੈ ਲਿਹਾਜ਼ਾ ਬਿਆਨ ਹਜ਼ਾ ਬਰਾਏ ਦਾਇਰੀ ਮੁਕੱਦਮਾ ਬਰਖਿਲਾਫ ਦੋਸ਼ੀਆਨ ਉਕਤ ਬਾ ਜੁਰਮ ਉਕਤ ਦਰੱਜ ਰਜਿਸਟਰ ਕਰਾਉਣ ਲਈ ਹੱਥੀ CT ਅਰੁਨਦੀਪ ਸਿੰਘ 3342 ਥਾਣਾ ਭੇਜਿਆ ਜਾਂਦਾ ਹੈ। ਮੁਕੱਦਮਾ ਦਰਜ ਕਰਕੇ ਨੰਬਰ ਤੇ ਜਾਣੂ ਕੀਤਾ ਜਾਵੇ। ਸਪੈਸ਼ਲ ਰਿਪੋਰਟ ਅਫਸਰਾਨ ਬਾਲਾ ਦੀ ਸੇਵਾ ਵਿੱਚ ਭੇਜਿਆ ਜਾਣ। ਮਨ ASI ਸਮੇਤ ਸਾਬੀ ਕ੍ਰਮਚਾਰੀਆ ਤੇ ਮੁਦੱਈ ਨੂੰ ਸਮੇਤ ਤਾਈਦੀ ਦੇ ਹਮਰਾਹ ਲੈ ਕੇ ਰਵਾਨਾ ਮੌਕਾ ਬਰਾਏ ਤਫਤੀਸ਼ੀ ਹੁੰਦਾ ਹਾਂ SD/- ਸੁਲੱਖਣ ਸਿੰਘ ASI ਥਾਣਾ ਬਸਤੀ ਜੋਧੇਵਾਲ ਲੁਧਿਆਣਾ ਮਿਤੀ 19/08/17 ਬਾ ਹੱਦ ਬਸਤੀ ਜੋਧੇਵਾਲ ਚੌਕ ਲੁਧਿਆਣਾ AT

1:05 PM ਅੱਜ ਥਾਣਾ :- ਹਸਬ ਆਮਦ ਬਿਆਨ ਉਕਤ ਮੋਸੂਲ ਹੋਣ ਪਰ ਬਾਜ਼ਰਮ ਉਕਤ ਬਰਖਿਲਾਫ ਦੋਸ਼ੀਆਨ ਉੱਕਤ ਦੇ ਦਰਜ ਰਜਿਸਟਰ ਕੀਤਾ ਗਿਆ। ਸਪੈਸ਼ਲ ਰਿਪੋਰਟਾ ਤਿਆਰ ਕਰਕੇ ਹੱਥੀ CT ਮਨੋਜ ਗੁਪਤਾ ਨੰਬਰ 3071/ਲੁਧਿ: ਦੇ ਇਲਾਕਾ ਮੈਜਿਸਟ੍ਰੇਟ ਸਾਹਿਬ ਅਤੇ ਅਫਸਰਾਨ ਬਾਲਾ ਦੀ ਸੇਵਾ ਵਿੱਚ ਭੇਜਿਆ ਜਾਦੀਆ ਹਨ ਅਸਲ ਬਿਆਨ ਮਹਿ ਨਕਲ FIR ਹੱਥੀ CT ਅਰਿੰਦਾ ਨਿੱਜਦ ASIਪਾਸ ਬਰ ਮੌਕਾ ਬਰਾਏ ਤਫਤੀਸ਼ੀ ਭੇਜਿਆ ਜਾਂਦਾ ਹੈ।ਕੰਟਰੋਲ ਰੂਮ ਪਰ ਬਜਰੀਆ ਵਾਇਰਲੈਸ ਇਤਲਾਹ ਦਿੱਤੀ ਗਈ ਹੈ।

13 Action taken: Since the above information reveals commission of offence(s) u/s as mentioned at Item No. 2.

(ਕਾਰਵਾਈ : ਉਪਰੋਕਤ ਜਾਣਕਾਰੀ ਨਾਲ ਪਤਾ ਚੱਲਦਾ ਹੈ ਕਿ ਅਪਰਾਧ ਕਰਨ ਦਾ ਤਰੀਕਾ ਸੰ. ਨੰ 2 . ਵਿੱਚ ਦਰਸਾਈ ਧਾਰਾ ਦੇ ਤਹਿਤ ਹੈ):

(1)Registered the case and took up the investigation (ਕੇਸ ਦਰਜ ਕੀਤਾ ਗਿਆ ਅਤੇ ਪੜਤਾਲ ਨੂੰ ਲੈ ਲਿਆ): or (ਜਾਂ)

(2)Directed (Name of I.O.): Rank
(ਤਫਤੀਸ਼ੀ ਅਧਿਕਾਰੀ ਦਾ ਨਾਮ): SULAKHAN Singh (ਅਹੁਦਾ): ASI (Assistant Sub-Inspector)
No(ਨੰ): 855/LDH to take up the Investigation (ਨੂੰ ਜਾਂਚ ਆਪ ਪਾਸ ਲੈਣ ਲਈ ਨਿਰਦੇਸ਼ ਦਿੱਤਾ ਗਿਆ) or(ਜਾਂ)

(3)Refused investigation due to (ਕਿਸ ਕਾਰਨ ਕਰਕੇ ਇਨਕਾਰ ਕੀਤਾ) :

or (ਜਾਂ)

(4)Transferred to P.S. District
(ਥਾਣਾ): (ਜ਼ਿਲ੍ਹਾ):

on point of jurisdiction (ਹੱਦਬੰਦੀ ਕਾਰਣ) .

F.I.R.read over to the complainant/informant,admitted to be correctly recorded and a copy given to the complainant/informant free of cost. (ਸ਼ਿਕਾਇਤਕਰਤਾ/ਸੂਚਨਾਕਰਤਾ ਨੂੰ ਪ੍ਰਾਥਮਿਕੀ ਪੜ੍ਹ ਕੇ ਸੁਣਾਈ ਗਈ ,ਸਹੀ ਦਰਜ ਹੋਇਆ ਮੰਨਿਆ ਅਤੇ ਇੱਕ ਕਾਪੀ ਮੁਫਤ ਸ਼ਿਕਾਇਤਕਰਤਾ ਨੂੰ ਦਿੱਤੀ ਗਈ)

R.O.A.C.(ਆਰ.ਓ .ਏ .ਸੀ.)

14. Signature/Thumb impression of the complainant / informant (ਸ਼ਿਕਾਇਤਕਰਤਾ/ਸੂਚਨਾਕਰਤਾ ਦੇ ਹਸਤਾਖਰ / ਅੰਗੂਠੇ ਦਾ ਨਿਸ਼ਾਨ):

15. Date and time of dispatch to the court
(ਅਦਾਲਤ ਵਿੱਚ ਪੇਸ਼ ਕਰਨ ਦੀ ਤਰੀਕ ਅਤੇ ਸਮਾਂ):

Signature of Officer in charge, Police Station

(ਥਾਣਾ ਪ੍ਰਭਾਰੀ ਦੇ ਹਸਤਾਖਰ)

Name(ਨਾਮ): BALKAR SINGH

Rank (ਅਹੁਦਾ): SI (Sub-Inspector)

No(ਸੰ.): 2427/ldh

Attachment to item: 7 of First Information Report (ਅੱਵਲ ਸੂਚਨਾ ਰਿਪੋਰਟ ਦੇ ਮਦ 7 ਸੰਲਗਨਕ):

Physical features, deformities and other details of the suspect/accused: (If known / seen)

(ਸ਼ੱਕੀ ਮੁਲਜ਼ਮ ਦੀ ਸਰੀਰਕ ਵਿਸ਼ੇਸ਼ਤਾ, ਵਿਕਾਰ ਅਤੇ ਹੋਰ ਵੇਰਵਾ: (ਜੇਕਰ ਵਾਕਿਫ਼/ਦੇਖਿਆ ਗਿਆ))

S.No. (ਲੜੀ ਨੰ.)	Sex (ਲਿੰਗ)	Date/Year of Birth (ਜਨਮ ਮਿਤੀ/ਸਾਲ)	Build (ਬਣਾਵਟ)	Height (cms.)	Complexion (ਰੰਗ)	Identification Mark(s) (ਪਛਾਣ ਚਿੰਨ੍ਹ)
1	2	3	4	5	6	7
1	Male					Poxpitted: NO
2	Male					Poxpitted: NO
Deformities/ Peculiarities (ਵਿਕਾਰ / ਵਿਸ਼ੇਸ਼ਤਾ)		Teeth (ਦੰਦ)	Hair (ਵਾਲ)	Eyes (ਅੱਖਾਂ)	Habit(s) (ਆਦਤਾਂ)	Dress Habit(s) (ਪਹਿਰਾਵਾ)
8		9	10	11	12	13
Language /Dialect (ਭਾਸ਼ਾ/ਬੋਲੀ)	Place Of (ਦਾ ਸਥਾਨ)					Others (ਹੋਰ)
	Burn Mark (ਸੜੇ ਹੋਏ ਦਾ ਨਿਸ਼ਾਨ)	Leucoderma (ਚਿੱਟਾ ਰੋਗ)	Mole (ਮਹੁਕਾ)	Scar (ਜ਼ਖਮ)	Tattoo (ਗੁੱਦੇ ਹੋਏ ਦਾ)	
14	15	16	17	18	19	20

These fields will be entered only if complainant/informant gives any one or more particulars about the suspect/accused. (ਇਹ ਖੇਤਰ ਤਦੇ ਦਰਜ ਕੀਤੇ ਜਾਣਗੇ ਜੇਕਰ ਸ਼ਿਕਾਇਤਕਰਤਾ / ਸੂਚਨਾਕਰਤਾ ਸ਼ੱਕੀ / ਮੁਲਜ਼ਮ ਦੇ ਬਾਰੇ ਕੋਈ ਇੱਕ ਜਾਂ ਵੱਧ ਜਾਣਕਾਰੀ ਦਿੰਦਾ ਹੈ।)

In the Court of Sh. Sushil Bodh, JMIC, Ludhiana

F.I.R. No. 0343/17

u/s. 379 B (2), 506, 120-B of I.P.C.

Police Station : Basti Jodhewal

State of Punjab

v/s

Mukesh Thakur and another

Sub.: Application for Medical Examination of above Accuseds.

Respected Sir,

It is submitted as under:-

1. That, the above said remand paper / case is pending before this Honorable court wide FIR NO :0343/17 under Sec.379B, 506,120-B of IPC (Bastijodhewal Police Station).
2. That, both the accused were arrested on 19/08/2017 that about 5:30 to 6 AM. However, they were produced by I.O./Police before this Honorable Court on 20/08/2017. After 3 P.M. The said production of accused was beyond 24 hours of their arrest, which is gross violation of law.
3. That, on their production, this Honorable Court asked the I.O. as to when, the accused were arrested and to whom intimation about their arrest was given. The I.O. replied and informed the Honorable Court that the accused were arrested on 19/08/2017 at 6 a.m. and intimation to their relatives was given at 6:30 a.m.
4. That, the accused person, before their production, not medically examined by I.O. and straight way produced to honorable court. However, subsequently they were medically examined as per direction of this honorable court. It may be noted;the accused had made oral complaint before the honorable court about ill-treatment and beaten by Police.



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Upon, their complaint, the Honorable Court directed them to submit written complaint about ill- treatment. However, somehow they arranged for paper and written their complaint but, could not file on record as on the said day it was Sunday and Honorable court / Magistrate left the court.

5. The I.O. and Police Officers managed the Medical Officer/Doctor, who examined them but, did not mention injuries/ marks in his report. The said conduct of medical officer is also against the law. Apparently, at the relevant time both the accused also made complaint to the doctor and also shown their injuries. But with a view, to shield the erring police officers, he did not give true report of medical examination, mentioning injuries.
6. The accused are still having marks of injuries on their person. Since then the accused are in jail and there is no possibility for self-inflicting or other kinds of mischievous submission. Therefore, it is just and necessary to direct the concerned jail authorities to conduct medical examination of accused and submit the report before this honorable court, mentioning types of injury, age of injury, weapon/ object of injury, in the medical report.

PRAYER:

It is therefore most humbly prayed to direct concern Jail authority or other authority to again conduct medical examination of the aforesaid accused, and to submit detail medical report before this honorable court for further order, in the circumstances stated above and in the interest of justice.

This Application

Advocate for accused

Ludhiana

Date: 09.09.2017

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In the Court of Dr. Sushil Bodh, JMIC, Ludhiana/Duty

Magistrate, Ludhiana

F.I.R. No. 0343/17
u/s. 379 B (2), 506, 120-B of I.P.C.
Police Station: Basti Jodhewal

State of Punjab v/s Mukesh Thakur and another

Sub.: Application for Medical Examination of above Accused

Respected Sir,

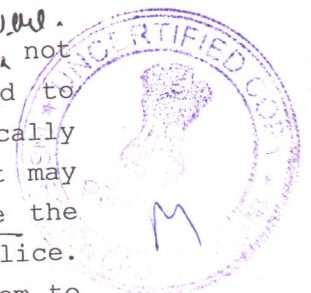
It is submitted as under:-

1. That, the above said remand paper / case is pending before this Honorable court wide FIR No.:0343/17 under Sec.379B, 506,120-B of IPC (P.S.: Basti Jodhewal).
2. That, both the accused were arrested on 19/08/2017 that about 5:30 to 6 AM. However, they were produced by I.O./Police before this Honorable Court on 20/08/2017. After 3 P.M. The said production of accused was beyond 24 hours of their arrest, which is gross violation of law.

3. That, on their production, this Honorable Court asked the I.O. as to when, the accused were arrested and to whom intimation about their arrest was given. The I.O. replied and informed the Honorable Court that the accused were arrested on 19/08/2017 at 6 a.m. and intimation to their relatives was given at 6:30 a.m.

That, the accused person before their production, not medically examined by I.O. and straight way produced to honorable court. However, subsequently they were medically examined as per direction of this honorable court. It may be noted; the accused had made oral complaint before the honorable court about ill-treatment and beaten by Police. Upon, their complaint, the Honorable Court directed them to submit written complaint about ill-treatment. However, somehow they arranged for paper and written their complaint but, could not file on record as on the said day it was Sunday and Honorable court / Magistrate left the court.

5. The I.O. and Police Officers managed the Medical Officer/Doctor, who examined them but, did not mention



Amended
Shelved to
put up file
JMIC
12/9/12
Paper not put up
Nishi Put up
on date fixed
before Magistrate
JMIC
13/9/11

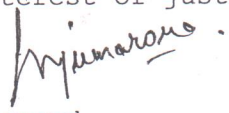
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injuries/ marks in his report. The said conduct of medical officer is also against the law. Apparently, at the relevant time both the accused also made complaint to the doctor and also shown their injuries. But with a view, to shield the erring police officers, he did not give true report of medical examination, mentioning injuries.

6. The accused are still having marks of injuries on their person. Since then the accused are in jail and there is no possibility for self-inflicting or other kinds of mischievous submission. Therefore, it is just and necessary to direct the concerned jail authorities to conduct medical examination of accused and submit the report before this honorable court, mentioning types of injury, age of injury, weapon/ object of injury, in the medical report.

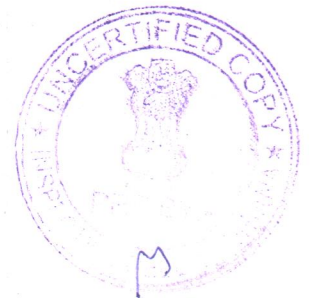
PRAYER:

It is therefore most humbly prayed to direct concern Jail authority or other authority to again conduct medical examination of the aforesaid accused, and to submit detail medical report before this honorable court for further order, in the circumstances stated above and in the interest of justice.


Accused

Date: 13.09.2017

Th. Counsel



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STATE VS MUKESH THAKUR AND ANOTHER

FIR No. 343 of 2017,
Under section 379B(2), 506 & 120 B of IPC
P.S. Basti Jodhewal, Ludhiana

Present Anupam Thakur wife of accused Mukesh Thakur in person
Anupam Thakur wife of accused Mukesh Thakur appeared in the court and has requested that an application for medical examination of accused persons is pending in case FIR No. 343 of 2017, under section 379B(2), 506 & 120 B of IPC, P.S. Basti Jodhewal, Ludhiana. On her request, papers taken up today. Perusal of the papers reveal that the said application was filed on dated 13.09.2017 before the Ld. Duty Magistrate, who ordered to put up the same for the date fixed i.e. 16.09.2017, but on the said date the undersigned was on leave and the application was not put up by the Ahlmad concerned of this court before the Ld. Duty Magistrate. Heard, as per the submissions made in the application and in the interest of justice, the instant application is allowed; and Jail Superintendent is directed to get conduct the medical examination of accused persons in the present case from civil hospital Ludhiana as per rules, and submit the report in the court of undersigned after compliance well before the date fixed in the remand papers i.e. 26.09.2017. Ahlmad concerned is directed to immediately send copy of this order to the Jail Superintendent, Ludhiana.



To

The Superintendent,
Central Jail, Ludhiana.

Subject- Medical report of UT Mukush thakur S/o Inder
Kant thakur .

Sir,

In refence both above mentioned subject it is for
your information that as per jail hospital record (health card
no 10099) the above mentioned patient visited jail hospital
on 01.10.2017 and was given the following treatment.

Tablet. Diclofenac + Paracetamol Twice daily.

Tablet Multivitamin Twice daily.

He Again visited the jail Hospital on 09.11.2017 and was
advised the same treatment for three days.

This is for your information and further necessary action.

Senior Medical Officer,
Central Jail, Ludhiana.

Senior Medical Officer
Central Jail, LUDHIANA.

Wai Hind

33/m

27/11/17

7396

c/o Blunt trauma (R) foot
3 months old.

u

clonidine on R foot
on walking.

Adm.

x Ray (R) foot - AP
oblique view.

- swelling during
night.

Concessional
Rs 150/-

Dr. Harsh Ketan Sharma

Dr. Harsh Ketan Sharma
RMO, SHC Ayali Khurd,
Distt. Ludhiana (Punjab)
PMC Regn. No. 38835
Spl. Bone & Joint Diseases

27.11.17

x Ray (R) foot - AP view

↓
Fracture line with callus formation,
distal soft swelling

Referred to Civil Hosp, Ludhiana
for further assessment

Dr. Harsh Ketan Sharma
RMO, SHC Ayali Khurd,
Distt. Ludhiana (Punjab)
PMC Regn. No. 38835
Spl. Bone & Joint Diseases



YOUR HEALTH OUR MISSION

MAHAL MULTISPECIALITY HOSPITAL

4-BX SOUTH CITY, LUDHIANA. Tel. 0161-2809100, 2809200

Website : www.mmhludhiana.com

NAME - JAI HIND	AGE/SEX -33Y M
REF.BY - DR HARSH	DATE -24/11/17

X-RAY LEFT FOOT

(AP VIEW)

Findings:-

Fracture line with callus formation seen in the distal shaft of 5 th metatarsal. No intra articular extension seen

Rest of The visualized bones of the foot are normal in outline & bone density.

The Intertarsal, tarsometatarsal & interphalangeal joints appear unremarkable.

No evidence of any dislocation seen.

Please correlate clinically


Dr. BALREET K. MAHAL
M.D. (RADIOLOGIST)

Due to technical limitations, the findings may be false positive or false negative in a small fraction of cases
Please correlate with clinical opinion and other investigations prior to any intervention
THE REPORT IS NOT VALID FOR MEDICO LEGAL PURPOSES