

CRM-M-17520-2020

Jaswinder Singh @ Shinda vs. State of Punjab

CRM-M-17560-2020

Kuldeep Singh vs. State of Punjab

CRM-M-17641-2020

Rachpal Singh vs. State of Punjab

CRM-M-17644-2020

Jassa Singh @ Jaswinder vs. State of Punjab

Present:- Mr.Sandeep Kumar, Advocate,
for the petitioners.

Mr.V.G.Jauhar, Sr.DAG, Punjab.

All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the Covid-19 pandemic.

Pursuant to the order dated 06.07.2020, as regards petitioners Jaswinder Singh and Rachpal Singh, learned State counsel submits that they have joined investigation and presently at least their custodial interrogation is not required.

That being so, without making any comment on the actual merits of the case, these petitions (CRM-M-17520-2020 and CRM-M-17641-2020) are allowed *qua* the said petitioners, with the order dated 06.07.2020, made absolute on the same terms and conditions.

As regards the query of this court as to why it took 10 days for the FIR to be registered despite the facts that MLRs in respect of the injuries received by the complainants were recorded on May 30, 2020 itself, learned State counsel submits that the affidavit of the SSP has been filed (though a copy thereof has not been uploaded computer of this court) in which it is stated that in fact the police visited the complainant in the hospital but they stated

that they would get their statements recorded only after the opinion of the Radiologist was given, upon X-rays being taken.

Upon query put to him as to why at least a DDR has not been lodged, he submits that the DDR was duly lodged at that time itself, a copy of which has been annexed as Annexure R-2 with the affidavit of the SSP, which is stated to be a print-out of a computerised entry with regard to lodging of the DDR.

Adjourned to 07.08.2020, with the SSP, Kapurthala, as also the concerned ADGP (Computerisation) directed to file affidavits as to how this court can be sure that the DDR entry made on a computer is not made on a later date, by simply showing an ante-dated entry because, at least *prima facie*, it seems to this court that an entry into the computer can be randomly made by simply filling in the form, giving the date as would be 'required to be' filled in, even if that entry was not made at the proper and the relevant time. Hence, the safeguards against such ante-dated entries being made, be enumerated in the affidavit of the ADGP (Computerisation) as also the SSP, Kapurthala, with the latter to also state in his affidavit as to how this court is to assume that the copy of the print-out as is stated to have been annexed with his affidavit, is not an entry made in the computer at a later date.

A photocopy of this order be placed on the files of the connected cases.

July 23, 2020

dharamvir//

**(AMOL RATTAN SINGH)
JUDGE**