

**Compliance report to the Hon'ble High Court in  
R/CMA/1067/2022**

- (I) The present inquiry is conducted by this court under the direction of the Hon'ble High Court in R/MCA/1067/2022 order dated, 12/07/2023, received to this Court on 21/07/23 vide dispatch No. 173868-72 dated 19/07/23 and was fixed on 24/07/23. The applicants and respondents No. 2-14 were summoned to remain present before this Court at 3.00 P.M. Pursuant to summons, Respondent no. 3, 4 and 5 remained present before this Court and summons were not served other respondents . Thereafter inquiry was adjourned for the next day i.e. 25/07/2023 at 3.00 P.M.
- (II) On 25/07/2023, upon being called out, respondent no. 2 and respondent no. 3 remained present before this Court in civil dress and respondents no. 4 to 14 remained present in Police Uniform . The applicants no. 1 to 5 remained present before this Court along with their Ld. advocate Mr G.A.Saiyed. Also, Ld. A.P.P, Staff Assistant and Computer System Officer remained present during the proceedings of this inquiry. The envelope received from the Hon'ble Registrar General Sir of the Honb'le High Court was brought on dias and opened by this court in presence of the parties. The envelope consisting another envelope and a letter No. 13/2023 dated 21/07/2023 of The Hon'ble Registrar General Sir along with forwarding the copy of the order (from which the para no. 22 to 24 was read aloud. Parties were asked not to interfere or give suggestions/objections amidst inquiry proceedings). The second envelope was

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opened in presence of the parties contains the copy of the record of the abovesaid contempt application which contains pendrive in white transparent polythene and photographs on page No. 36-44 of the record. The polythene was detached and opened in the court which contained one silver color pendrive endorsed with words GT Green Tech Neo Drive 8 GB pendrive over it. The pendrive was then connected to the office Chromebook at around 3.30 p.m. in presence of the parties present before this Court. The contents of pendrive are opened one by one in sequence for better understanding by this Court in presence of the applicants No. 1 to 5 and respondents No. 2 to 14.

(III) All the contents of the pendrive and photographs are discussed herein as (a to i) point wise below.

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- a) After opening first video which shows Kinemaster App edited Video without audio of 57 seconds showing people gathered on one side of road and this court finds no relevancy as to incident with respect to present applicants and respondents .
  - b) Five photos are screenshot of the print media and social media.
  - c) Thereafter opening first folder shows around 60 Whatsapp images in it with regard to the screenshots of the video and of social media .
  - d) Second folder shows 2 images and 13 videos.. All the 13 videos are named as whatsapp 2022-10-06 at 9:43:(11,12,12-1,12-2,13,13-1,14,14-1,14-2,15,15-1,16,16-1). All the videos are of length varied from minimum 19 seconds to max length of

1.15 mins.

- e) Third folder again contains 10 photo graphs which are repetition of the first folder.
- f) Forth folder is default system folder- not relevant.
- g) First zip folder is repetition of first folder.
- h) Second zip folder is repetition of second folder.
- i) Third zip folder is repetition of third folder.
- j) The photographs produced vide page Nos. 36-44 are also print of the screenshots of those videos and photos produced in above folders of the pendrive.

**(IV) Findings :-**

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- 1) Watching all the videos, this can be made out that videos are captured by some of the people standing in the public which is controlled back by the police personals in uniforms. The place of incident shows two buildings, one big and one small in the background situated at few meter distance of one electric pole. Police Van of Kheda police can be seen on left side of the pole. Mostly, videos in the pen drive show few men in Civil Dress and few in Uniform.
  - 2) Videos show young men were brought near the pole and person wearing black t-shirt with white vertical lines having tall dark and fat physical appearance holds the hand of the men and person wearing white shirt and blue jeans and black shoes with a fat, dark, tall physical appearance holding stick in hands can be seen giving stick blows (3-6) to those men. Then they were then made to sit into the police Van. One person wearing orange

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white checks shirt and blue jeans with fat, fair, tall physical appearance holding white pipe, Another person wearing white shirt and black pants can be seen holding stick, One person wearing black t-shirt with white vertical lines having tall dark and fat physical appearance and one person wearing light blue shirt and black pants can be seen in the most of the videos alleged to be the amongst respondents No. 02 to 14 present in the Court. Other men with and without stick can be seen in the scene of incident. Men can also be seen holding mobiles as if capturing the videos. The public can be seen cheering up. Those men who were seen receiving blows and those who were giving blows by the stick are seen in Civil Dresses.

- 3) After going through the Videos Person receiving the blows are in,
- a) video named as Whatsapp video 2022-10-5 at 9:43 : 12 (1) which is 01.12 minutes showing man in red t-shirt and beige pants .
  - b) Video named as Whatsapp video 2022-10-5 at 9:43 : 12 (2) which is 01.07 minutes showing man in orange shirt and black pants and another man in pink t-shirt and black pants near the pole.
  - c) Video named as Whatsapp video 2022-10-5 at 9:43 : 13 which is 00.30 seconds showing man in light green t-shirt and brown trouser.
  - d) Video named as Whatsapp video 2022-10-5 at 9:43 : 14 (2) which is 00.39 seconds showing man in light black t-shirt and black pants.
  - e) Video named as Whatsapp video 2022-10-5 at 9:43 : 15 which is 00.39 seconds showing man in brown shirt and white pants.

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f) Video named as Whatsapp video 2022-10-5 at 9:43 : 15 (1) which is 00.41 seconds showing man in white shirt and black pants.

g) Video named as Whatsapp video 2022-10-5 at 9:43 : 16 which is 00.26 seconds showing man in black t-shirt and black pants .

h) Video named as Whatsapp video 2022-10-5 at 9:43 : 16 (1) which is 00.43 seconds showing man in orange t-shirt and black trouser.

i) Video named as Whatsapp video 2022-10-5 at 9:43 : 13 (1) which is of 01.15 minute video showing clip of VTV News which is edited video showing all above men glances and shown beaten up by the man wearing white shirt blue jeans and made to sit in Van and public shown cheering up.

4) Another Videos, 1) Whatsapp video 2022-10-5 at 9:43 : 11, which is 19 seconds long and is captured from the window with the distance, 2) Whatsapp video 2022-10-5 at 9:43 : 12 which is 16 seconds video, 3) Whatsapp video 2022-10-5 at 9:43 : 14 is one minute whatsapp status video 4) Whatsapp video 2022-10-5 at 9:43 : 14 (1) which is 00.46 seconds , are not relevant as to identification of respondents.

5) The face is not shown or side face can be seen in some videos and the videos are captured from sideways which can not be zoomed in and are blurred in enlarging pixels due to quality of the videos. The pictures are blurred on zooming in and videos are taken from distance, so it is difficult to ascertain the persons amongst the respondents as well as applicants in the videos and photographs. All the photos in pen drive are screenshots of the

videos and of the social or print media regarding the incidence.

- 6) The Court asked the Ld. Advocate which of the present applicants is seen in these videos ? To which they asserts to man in the light green t-shirt and brown trouser as Mr. Shahjad Malek, who is named due to error as Sahadmiya Shokatmiya Malek applicant no. 3 in the petition (seen in one of the video in the pendrive named as Whatsapp Video 2022-10-5 at 9:43 : 13 (1), which is of VTV News and Whatsapp Video 2022-10-5 at 9:43 : 13 in which man in light green t-shirt and brown trouser is receiving three blows of stick and screenshot photos and photo on page No. 36). Another man in black t-shirt and black pants is asserted to be Mr. Shakilmiya Jahangirmiya Shaikh. Applicant No.4 seen in Video in the pendrive named as Whatsapp Video 2022-10-5 at 9:43 : 13 (1), which is of VTV News seen apologizing and Whatsapp Video 2022-10-5 at 9:43 : 16 in which he is seen receiveing 4 blows of stick). Another man in orange t-shirt and black pants is asserted to be Mr. Sahid Raja, applicant No. 5 ( as seen in video Whatsapp Video 2022-10-5 at 9:43 : 13 (1), which is of VTV News seen apologizing and Whatsapp Video 2022-10-5 at 9:43 : 16-1).

- 7) No video in the pendrive and photographs were identified as to Applicant Nos. 01 and 02 by the Ld. Advocate and applicants present due to distance and poor clarity of the photographs and videos. Other men shown in the videos are not applicant to this petition as asserted by the Ld. Ad. Mr. G.A.Saiyad for the applicants. All the videos are of same place and same day as asserted by them. One of the applicant is seen at page No. 36

with folding hands wearing light green t-shirt and brown trousers. No other applicant is seen precisely in the photographs. At page No. 44 the person wearing white shirt and blue jeans and black shoes with a fat, dark, tall physical appearance can be seen sitting in plastic chair along with the person sitting next to him who was wearing in light blue shirt and black pants and the public can be seen in the background cheering up.

8) The Court again played those Whatsapp Videos 2022-10-5 at 9:43 : 13 (1), which is of VTV News and Whatsapp Video 2022-10-5 at 9:43 : 13, 16, 16(1) and referred the photograph at page No. 36. This Court had asked the applicant No. 03 as to identify the person wearing white shirt blue jeans giving the blow of the sticks, he points it to the respondent No.2-Mr. A.V. Parmar, further on as to identify the person wearing black striped t-shirt and blue jeans who is seen holding the hands of the men, he points to Mr. Raju Ramesh Dabhi-Respondant No.13, further to identify the person in orange white checks, he points to Mr.Kanaksingh Laxmansingh- Respondent No.05.

9) The Court asked applicant No. 04 asserts to be the person aggrieved in black t-shirt and black pants as to identify the person wearing white shirt blue jeans giving the blow of the sticks, he points it to the respondent No. 02-Mr. A.V.Parmar, further on as to identify the person wearing black striped t-shirt and blue jeans who is seen holding the hands of the men, he points to Mr.Raju Ramesh Dabhi respondent No.13. Further, the person sitting in the chair in one photo and the background

in another photo wearing light blue shirt and black pants is identified as Mr. D.B. Kumavat-Respondent No.03.

- 10) The Court asked the applicant No.05 asserts to be the person aggrieved in orange t-shirt and black pants as to identify the person wearing white shirt blue jeans giving the blow of the sticks, he points it to the respondent No.02-Mr. A.V.Parmar, further on as to identify the person wearing black striped t-shirt and blue jeans who is seen holding the hands of the men, he points to Mr.Raju Ramesh Dabhi-Respondant No.13.
- 11) No other respondents are identified by the applicants in this Court, also no other respondent is seen beating the applicant in these Videos. No other persons can be identified by this court, nor the resemblance can be drawn clearly between other respondents and persons present in the video as the videos are captured from the distance and quality is poor due to which zooming in break the pixels and blur the image.
- 12) No other video and photos are found other than above discussed already. All the videos were opened twice and shown in the presence of the applicants and their advocate and respondents no. 2-14. It is observed that few videos are repeated and are of different angle and few videos are not helpful as are captured with a very distant view not showing any relevancy to the identification. The videos are captured from the mob at distance in which the quality is not accurate and can not be zoomed in. The screenshots of the videos are blurred due to breaking of the pixels and poor quality of the videos. It is difficult to find exact



resemblance of any of the parties either from videos or from photographs.

- 13) After going through all the Videos and photographs this can be inferred out with resemblance and identification by the applicants for the respondents present in the Court, *that the person wearing white shirt and blue jeans and black shoes with a fat, dark, tall physical appearance seen giving stick blows to men on buttocks and in one photograph, he is seen sitting on chair can be identified as respondent No. 2-Mr. A.V. Parmar. Person in the orange white checks shirt and blue jeans can be identified as Mr.Kanaksingh Laxmansingh-Respondant no. 05 present before this court as his resemblance with the person in the video. The other person in the video sitting next to Mr. A.V. Parmar on plastic chair in front of public can be identified as Mr. D.B.Kumavat-respondent no.3 as his resemblance with the person in the video. The person who holded hand of the applicants while beating is identified as Mr.Rajubhai Rameshbhai-Respondent No.13. No other respondents except Respondent no. 02, are identified by the applicants in this Court, seen beating the applicants in the videos. No other persons can be identified by this court, nor the resemblance can be drawn clearly between other respondents due to poor quality of Whatsapp videos. So, after verifying the pendrive videos and photographs as the poor quality of the videos and pixelation issues have significantly hindered the ability to zoom in properly and identify precisely related to the incident and I conclude my report as below.*

(V) Conclusion :-

1) The respondent No.02-Mr. A.V. Parmar is identified as person in white shirt and blue jeans in the videos, who is seen giving 03-06 stick blows on buttock of applicant no 03-05 (out of which three applicants identified themselves and him in the videos).

2) The respondent No.03-Mr. D.B. Kumavat is identified as man in lightblue shirt and black pants, who is seen in the videos sitting in the chair and in some screenshots standing in the background. Not seen with stick or beating any applicants.

3) The respondent No.05-Mr. Kanaksingh Laxman Singh is identified as man in orange white checks and dark blue jeans in the videos. His presence is seen in videos of applicant No. 03 and 04 holding white pipe and pushing applicants towards Van. Not seen beating the applicants in the videos but can be seen pushing them towards Van. He is seen raising pipe on applicant No. 03 in one screenshot photograph.

4) The respondent No. 13-Mr Raju Rameshbhai Dabhi (identified by the applicant number 03-05) He can be seen holding hands of the applicants no 03-05 to the pole while respondent No.02 giving blows of the stick on their buttock.

5) No role can be identified by this Court, also not identified by the applicants in the Court as to other respondents No. 04, 06 to 12 and 14 for beating them in any of the videos in the pendrive and photographs as to alleged incident produced by

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them.

I conclude my report for identification of the role of the respondents No. 2 to 14 as herein above as asked in the order dated 12/07/2023 in R/MCA (for contempt) No. 1067 of 2022 by the Hon'ble High Court. The report be accepted for the Your Honour's kind perusal.

Place : Nadiad.  
Date : 31/07/2023.

Yours Sincerely,

*Chitra*  
(Chitra Ratnoo)  
C.J.M., Nadiad.