

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s). 13320/2024

(Arising out of impugned final judgment and order dated 30-08-2024 in CRWP No. 7533/2024 passed by the High Court Of Punjab & Haryana At Chandigarh)

VIHAAN KUMAR

Petitioner(s)

VERSUS

THE STATE OF HARYANA & ANR.

Respondent(s)

(ADMISSION and I.R.)

WITH

W.P.(Crl.) No. 409/2024 (X)

IA No. 231299/2024 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 231300/2024 - EXEMPTION FROM FILING O.T.)

Date : 21-10-2024 These petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ABHAY S. OKA

HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

For Petitioner(s) Ms. Jasmine Damkewala, AOR

Mr. Shyam Divan, Sr. Adv.
Mr. Jasmine Damkewala, AOR
Mr. Vishal Gosain, Adv.
Mr. Anuroop Chakravarti, Adv.
Mr. M S Vishnu Sankar, Adv.
Mr. Archit Singh, Adv.
Ms. Vaishali Sharma, Adv.
Ms. Zinnea Mehta, Adv.
Ms. Divyam Khera, Adv.
Ms. Pallak Bhagat, Adv.
Mr. Shivam Singh Tomar, Adv.
Mr. Pravir Singh, Adv.
M/S. Lawfic, AOR

For Respondent(s) Mr. Sidharth Luthra, Sr. Adv.
Mr. Suhaan Mukerji, Adv.
Mr. Abhishek Manchanda, Adv.
Mr. Adarsh Kumar, Adv.

Mr. Kartikeye Dang, Adv.
Mr. Sayandeep Pahari, Adv.
Mr. Tanmay Sinha, Adv.
Mr. Sahir Seth, Adv.
Mr. Shariq Ansari, Adv.
M/S. PLR Chambers And Co., AOR

Mr. Deepak Thukral, A.A.G.
Mr. Akshay Amritanshu, AOR
Mr. Samyak Jain, Adv.
Ms. Drishti Saraf, Adv.
Ms. Pragya Upadhyay, Adv.

Mr. Sahil A. Garg Narwana, Adv.
Mr. Dipesh Singhal, Adv.
Mr. Honey Gola, Adv.
Mr. Yadvinder Singh, Adv.
Mr. Kapil Gaba, Adv.

UPON hearing the counsel the Court made the following
O R D E R

The Medical Superintendent, PGIMS, Rohtak has filed an affidavit dated 19th October, 2024. In addition to what is stated in the affidavit, learned counsel for the Medical Superintendent accepts that not only that the petitioner was handcuffed but he was chained to bed in the MICU. We direct him to file supplementary affidavit to that aspect.

We are surprised to note that notwithstanding specific observation in our order dated 4th October, 2024, the Medical Superintendent has not dealt with the question whether the petitioner was chained to the hospital bed. Now it is accepted that the petitioner was chained to the hospital bed.

The State owes an explanation to this Court for this conduct of handcuffing the petitioner while he was admitted in MICU and conduct of chaining him to the bed. We permit the State to file an affidavit dealing with this aspect as well as dealing with what is

stated in paragraphs 11 and 12 of the counter filed before the High Court.

We also direct the State to get the petitioner examined by a Board of the Doctors of Safdarjung Hospital, Delhi and submit a report about his present health condition to this Court. The affidavit to be filed by the State by this Thursday i.e. 24th October, 2024. Even the report of the Medical Board shall be produced on that day. Affidavit of the Medical Superintendent shall be also filed by 24th October, 2024.

List on 25th October, 2024.

(KAVITA PAHUJA)
ASTT. REGISTRAR-cum-PS

(AVGV RAMU)
COURT MASTER (NSH)