

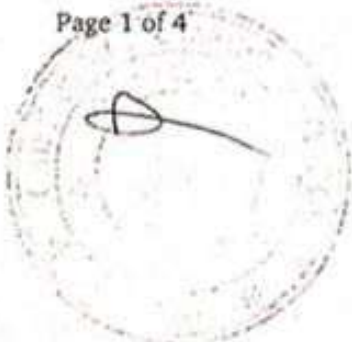
Order below the remand application of the accused persons (1) Dipakbhai Navinchandra Parekh (2) Dineshbhai Mahasukhrai Dave (3) Prakashbhai Laljibhai Parmar (4) Devangbhai Prakashbhai Parmar for the offences registered at the Morbi City B Div. Police Station being CR No. 11189004222003 under Sections 304,308,336,337 and 114 of the Indian Penal Code 1860.

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(1) Today, the present accused persons have been produced from the police custody and they are present before this court. The investigating officer has sought their further police custody of ten days for interrogation under section 167 of the Criminal Procedure Code, 1973.

(2) The brief facts of the present case is that a pedestrian suspension bridge named Jhultu Pul over the river Machhu was reopened after renovation on 26.10.2022 for public, however on 30.10.2022 the said bridge collapsed with several people, who plunged into the river taking lives of many and injuring several people and hence in these circumstances the police inspector of the Morbi City B Division police station registered a First Information Report stating the proximate cause for the collapse of the bridge as negligence in maintenance and management of the bridge along with poor workmanship.

(3) The investigating officer of the case P.A.Jhala, Dy.S.P. Morbi has while arguing stated that the accused no. 01 and 02 are the managers at Oreva company who was awarded the contract and they were in charge of the affairs for the renovation of the bridge. It is further submitted that the accused no. 03 and 04 were given the sub-



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contract for maintenance of the bridge. It is further submitted that all these four accused persons did not have any expertise or qualification in respect of renovation of bridges. It is further submitted that the initial FSL reports suggest poor quality of work by the company who was awarded the contract. Therefore, at this initial stage, in aid of investigation, the custody of the accused persons is required to investigate various aspects related to the offence. The Ld. Assistant Public Prosecutor has argued in consonance with the investigating officer and further stated that the custody of the accused persons is necessary so that the investigation can proceed in right direction.

(4) The learned Advocate for the accused persons, Gopi K. Raval has opposed the remand application and stated that the present accused persons have no major role to play in the present offence and are mid-level employees of the company. It is further submitted that they are not named in the FIR. It is further submitted that the accused person no. 03 and 04 are not signatory to any contract and hence their police custody is not required. Therefore, under such circumstances, the police custody of the accused persons may not be appropriate and hence the present remand application may be rejected.

(5) Heard the rival submissions. Perused the case papers including the case diary, it seems from the FIR that a recently renovated pedestrian cable bridge could not withstand the time of four days and collapsed, causing loss of human lives which indicates towards negligence and poor work on the part of the persons responsible for it. The factual scenario of the case suggests that the investigation has to be conducted



on various aspects. The investigating officer has collected various materials as part of evidence in the case. The present accused persons arrested are alleged to be involved in the management of the company responsible for the renovation of the bridge. The investigating officer has collected documentary evidence related to the involvement of the companies and their employees. The investigation of the case is at a very nascent stage and the allegations against the accused are well-founded. It seems that if further period of the police custody is given, then valuable information may be obtained by the police in the present case. Hence, the following order is passed:-

::: ORDER :::

The present accused persons are ordered to be given into the police custody to the I.O. of the case till 15.00 PM of 05.11.2022.

Conditions:-

- No violation of any human rights of the accused shall be done during the said period.
- It must be remembered by the I.O. that the law does not permit the use of third degree method or torture of accused in custody, hence, the custody shall only be limited for interrogation of the accused.
- The I.O. shall scrupulously follow the directions laid down in the judgment of the Hon'ble Supreme Court delivered in the case of D.K. Basu Vs. State of West Bengal.




REMAND ORDER

Morbi City B Div. Police Station
CR No.11189004222003

- The accused shall be produced before this Court after the completion of the said remand period.

Signed & pronounced in open Court today on November 01, 2022.

Place: Morbi .


[Masroor Jalis Khan]
Chief Judicial Magistrate,
Morbi .
(GJ01099)