

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CROCP no. 25 of 2013 (O&M)

Date of Decision :12.07.2016

Court on its own motion

....Petitioner(s)

Versus

S.S.Nehra and Gugan Singh, Advocate District Courts, Rohtak

...Respondent(s)

**CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR JUSTICE RAJ MOHAN SINGH**

Present : Mr. S.S.Narula, Advocate

Mr. N.K.Malhotra, Advocate

MAHESH GROVER, J.

This Court received a reference from Ms. Meenakshi Goyal, Civil Judge (Junior Division), Rohtak that the contemnors had used derogatory language against her during the court proceedings. Notice was issued to both the contemnors who had appeared before this Court.

One of the contemnors namely S.S.Nehra, Advocate tendered unconditional and unqualified apology which was accepted by this Court and proceedings qua him were dropped on 16.7.2015.

The following charge was framed against Sh. Gugan Singh, Advocate on 28.8.2015:-

“That on 7.8.2013, when Ms. Meenakshi Goyal,

Civil Judge (Junior Division), Rohtak, was to examine a witness

on the side of the defendant – State in case titled Azad vs. State bearing No. 358/1 dated 25.8.2011/17.4.2012, you objected for examination of such a witness and asked the Court to close the evidence of the defendant- State forcibly. When the Court insisted that a witness who has been brought by the State should be examined in the above case, you lost your temper and misbehaved with the said Judicial Officer. You asked her whether she would go over to the house of the witness and bring him to the Court for recording his evidence or whether she would go to the house of the witness to record his evidence at his house. You raised your voice and shouted for not adjourning the case at your dictat. You disturbed the court proceedings and violated the Court decorum, obstructed the administration of justice and interfered with the course of judicial proceedings and thereby lowered the authority of the Court and in this manner, committed criminal contempt punishable under Section 14(1) of the Contempt of Courts Act, 1971.”

Subsequently, the said contemner also tendered apology through his affidavit submitted to the Court on 22.9.2015.

On 26.2.2016 this Court noticed that the judicial officer on

the executive branch. Noticing that the incident had taken place on 7.8.2013 and some time had elapsed thereafter, the Court solicited a report from the District & Sessions Judge, Rohtak regarding the conduct of Advocate Gugan Singh (contemner). It was also directed that the contemner shall appear before the learned District Judge, Rohtak and submit his apology regarding the incident.

Report has now been received from the District & Sessions Judge wherein it has been stated that the contemner Gugan Singh appeared before the District Judge Rohtak on 4.3.2016 and tendered his unconditional apology.

Having regard to the aforesaid facts when the contemner Gugan Singh has tendered his unconditional apology before this Court on affidavit as also before the District Judge, Rohtak, we would deem it appropriate to accept the same and drop the contempt proceedings against him. Before parting with the order, we deem it appropriate to record a warning to said Gugan Singh, Advocate to remain careful in future.

Disposed of.

(Mahesh Grover)
Judge

12.07.2016
rekha

(Raj Mohan Singh)
Judge