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

CROCP-15-2014

Date of Decision : September 1st, 2016

Court on its own motion

Versus

Raj Kumar Insan and another

**CORAM : HON'BLE MR. JUSTICE MAHESH GROVER
HON'BLE MR. JUSTICE SHEKHER DHAWAN**

Present Mr. Vivek Saini, Deputy Advocate General, Haryana,

Mr. Raj Kumar Insan and Mr. Rajesh Kumar,
Contemnors in person with
Mr. Kamal Mor, Advocate [Amicus Curiae]
for contemnor No.2.[Rajesh Kumar]

SHEKHER DHAWAN, J.

This Criminal Contempt Reference has been made on the basis of report dated 6.2.2014 sent by District & Sessions Judge, Sirsa against the Contemnors.

The very basis of the report dated 6.2.2014; that a complaint case titled **Rajesh Kumar Vs. Suresh Kumar Gupta and others** was dismissed by the Court of Shri Namit Kumar, Judicial Magistrate Ist Class, Sirsa on 5.9.2013. The present contemnors had also filed a complaint against Munish Chugh, the then Reader of the Court of Ms. Payal Bansal, the then

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Civil Judge [Junior Division], Dabwali. Munish Chugh, Reader also filed a complaint against Raj Kumar son of Jaila Ram, [contemnor No.1] regarding use of wrong words and un-parliamentary language in the Court, in the presence of Ms. Punika, the then Stenographer Grade III and Kaptan Singh, Naib Court. The said complaint was forwarded to the office of District and Sessions Judge and the then Sub Divisional Judicial Magistrate, Dabwali, Dr. Atul Marya was asked to conduct a Fact Finding Enquiry. Subsequently, Dr. Atul Marya, the then Additional Civil Judge [Senior Divn.], Dabwali relinquished the charge on account of his transfer and Ms. Payal Bansal, the then Additional Civil Judge [Senior Division], Dabwali vide report dated 11.06.2012 submitted that **“since complainant has withdrawn his complaint on the ground that apology which has been tendered by Shri Raj Kumar has been accepted by him and in the interest of justice, proceedings initiated against Shri Raj Kumar, are hereby filed”**. Even the said papers were ordered to be filed.

We have perused the paper book and heard both the contemnors who are present in person. They have submitted that the matter has since been dropped on the basis of apology having been tendered and report having been duly submitted by Ms. Payal Bansal, the then Additional Civil Judge [Senior Division], Dabwali, therefore, the present proceedings may be dropped. They have tendered unconditional and unqualified apology with a further undertaking to always maintain and uphold the dignity of the Court.

In view of the above and especially the fact that on the apology having been tendered by the contemnors before Ms. Payal Bansal, the then

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Additional Civil Judge [Senior Division], Dabwali and the complaints having been filed vide orders dated 21.05.2014, we accept the unconditional apology and drop the contempt proceedings against the contemnors.

The Contempt petition stands disposed of. Rule stands discharged. Ordered accordingly.

(MAHESH GROVER)
JUDGE

(SHEKHER DHAWAN)
JUDGE

September 1st, 2016
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Whether speaking/reasoned	:	Yes
Whether Reportable	:	No