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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION  
CRIMINAL CONTEMPT PETITION NO.2 OF 2014**

Mrs. Nafisa Hamid Khandeparkar and Anr. ... Petitioners

Vs.

Mr. Nazim Hamid of Mumbai and Anr. ... Respondents

Mr. Karansingh Rajput a/w Ms. Mahalaxmi i/by Mustafa Kachwala for the Petitioners.

Mr. Harinder Toor a/w Mr. Rakesh K. Singh and Mr. A.R. Shaikh for the Respondent No.1.

**CORAM : A.S. OKA &  
A.K. MENON, JJ.**

**DATE : 27<sup>th</sup> APRIL, 2017**

**P.C.**

1           Heard the learned counsel appearing for the petitioners and the learned counsel appearing for the first respondent – contemnor. Perused the earlier order passed by the Court. Perused the additional affidavit of the contemnor which is tendered across the Bar and which is affirmed today. The same is taken on record and marked as 'A2' for identification. In the said affidavit, the first respondent has accepted that the petitioners herein are the legal representatives of the estate of the deceased (Late Mr. Shiraj J. Hamid). The first respondent has also accepted that inadvertently he has stated in his affidavit dated 21<sup>st</sup>

February, 2011 in support of Chamber Summons No.328 of 2011 that he himself along with his mother and brother are the only legal representatives of the estate of the deceased. In the affidavit, he has reiterated that the petitioners are also the legal representatives of the estate of the deceased in addition to his mother, he himself and his brother. He has prayed for condonation of the error in the statement made in paragraph 2 of the affidavit dated 21<sup>st</sup> February, 2011. Apart from this affidavit, by filing an affidavit dated 21<sup>st</sup> April, 2017, he has tendered an unconditional apology to this Court.

2           Considering the statements made by the first respondent/contemnor in the affidavit tendered today which is taken on record and marked as 'A2' for identification, we find that the first respondent/contemnor has shown remorse. Therefore, the unconditional apology tendered by the first respondent deserves to be accepted.

3           Accordingly, by accepting the unconditional apology, we discharge the contempt notice issued to the first respondent.

4           Contempt Petition is accordingly disposed of.

**(A.K. MENON, J)**

**(A.S. OKA, J)**