

HON'BLE SRI JUSTICE SURESH KUMAR KAIT

CONTEMPT CASE No.1813 of 2017

ORDER : (Oral)

Vide the present petition, petitioner sought directions thereby to issue contempt proceedings against respondent for not complying with the order dated 02.07.2014 in CrI.A.No.1277 of 2014 passed by the Supreme Court reported as [(2014) 8 SCC 273], in connection with F.I.R.No.103 of 2017 of Sattenapalli Police Station, Guntur District.

2. Vide order dated 15th September 2017, a show cause notice was issued against the respondent as to why contempt proceedings may not be initiated against him for violating the directions issued by the Supreme Court in the above Criminal Appeal. However, it was made clear that if the aforesaid directions are not complied with before the next date of hearing, the respondent shall file an affidavit and personally remain present in Court. Thereafter, the matter was taken up on 25.10.2017, and at the request of the Government Pleader, it was directed to be listed on 17.11.2017, giving liberty to the respondent to issue notice under Section 41-A Cr.P.C. in terms of order dated 2nd July 2014 passed by the Supreme Court.

3. Learned counsel appearing on behalf of petitioner submits that the respondent was transferred from the aforesaid Police Station on

27.09.2017 itself, and thereafter, the officer came in his place, has issued notice under Section 41-A Cr.P.C. to the petitioner.

4. Since the directions passed by the Supreme Court in the above noted Criminal Appeal have been complied with, I hereby close the contempt proceedings against the respondent.

5. Respondent is hereby directed to keep in mind in future that in such cases, notice under Section 41-A Cr.P.C. is required to be issued. He shall take all due precautions in future.

Pending miscellaneous applications, if any, shall stand closed.

8th December 2017

ajr


SURESH KUMAR KAIT, J