

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

COCN No. 3188 of 2016 (O&M)

Date of Decision: May 31, 2017.

Santosh Gupta

....Petitioner

Versus

Surinder Mohan and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE RAJAN GUPTA

Present: Mr. A.K.Walia, Advocate, for the petitioner.

Mr.V.Ramswaroop, Addl.A.G., Punjab

Rajan Gupta, J (Oral)

Petitioner alleges violation of judgment delivered by Hon'ble Supreme Court in **Arnesh Kumar Vs. State of Bihar (2014) 8 SCC 273**. Admittedly, petitioner never preferred an independent petition before this court seeking appropriate relief. She seeks to place reliance on the law laid down in Arnesh Kumar' case (supra). Learned State counsel on the other hand relies upon recent judgment of the Hon'ble Supreme Court in **Vitwasah Oberoi and others Vs. Court of its own motion (Criminal Appeal No.1234 of 2007)** decided on 2.1.2017 to contend that this court would not entertain contempt petition in view of law laid down therein. I find substance in the plea of State counsel.

At this stage, learned counsel for the petitioner submits that he may be allowed to withdraw this petition with liberty to avail alternate remedy.

Dismissed as withdrawn with aforesaid liberty.

(Rajan Gupta)
Judge

May 31, 2017.

BB

Whether speaking/reasoned Yes/No

Whether reportable: Yes/No