

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

COCP No.75 of 2017

Date of Decision:-16.01.2017

Neeru Bala.

.....Petitioner.

Versus

**Jaideep Singh Saini, Senior Superintendent of Police, District
Gurdaspur.**

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. S.S. Kainth, Advocate for the Petitioner.

JASWANT SINGH, J.(ORAL)

Petitioner has preferred the instant contempt petition by invoking Section 12 of the Contempt of Courts Act, 1971 against respondent for an alleged violation of order dated 22/04/2016 (**P-1**) passed by this court in CRM-M-8340 of 2016 decided on 22/04/2016.

Counsel for the petitioner has been heard at length.

It is the contended by learned Counsel for the petitioner that despite a specific direction given by this court in the aforementioned criminal miscellaneous petition, to decide the representation of the petitioner within a period of one month, the same has not been decided till date. However, a perusal of the order Annexure **P-1** would reveal that the respondent was directed to consider the representation and in case some material was found, then to act upon the same. This, does not, in any

manner would mean that the respondent was obliged to pass a speaking order on the said representation and intimate the same to petitioner. The order passed by this court does not come under any mandate of law which would entitle the petitioner to invoke the jurisdiction of this court under Contempt of Courts Act, 1971. Even otherwise, in case the petitioner is still aggrieved against any inaction on part of the respondent or in case he is convinced that criminal case is made out against any person, he has an alternative remedy of filing a complaint under section 200 of Cr.P.C. or to invoke Section 156 (3) of Cr.P.C. as laid down by the Hon’ble Supreme Court in *Sakiri Vasu Vs State of UP & Ors. 2008(2) SCC 409.*

In view of the above, finding no merit in the present petition, the same is hereby dismissed.

(JASWANT SINGH)
JUDGE

January 16, 2017
Vinay

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>