

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

148

C.O.C.P. NO.2533 OF 2018

DATE OF DECISION: AUGUST 20, 2018

Ram Niwas Sharma

.....Petitioner

VERSUS

Astha Modi and another

....Respondents

CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Neeraj Gupta, Advocate,
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court alleging contempt having been committed by the respondents by not complying with the order dated 30.05.2018 (Annexure P-2) passed by this Court, followed by order dated 16.07.2018 (Annexure P-1).

Contention has been raised that the respondents, who are police officials, have not complied with the order dated 30.05.2018 passed by this Court, whereby directions were given to the Secretary, Legal Services Authority, Kaithal, to arrange a meeting of applicant, Ramniwas Sharma with his daughter, Kavita Sharma on 07.06.2018. It appears that the Secretary, Legal Services Authority, Kaithal, was unable to arrange for the meeting as Kavita Sharma, daughter of the petitioner, did not turn up.

A perusal of the file would further show that Criminal Misc. M

No.22390 of 2018 was preferred by Kavita Sharma and Rajkumar, who both

are admittedly major, seeking protection to their life, limb and liberty, which is still pending. Interim order dated 23.05.2018 was passed whereby directions were issued to respondent Nos.1 to 3 therein, to provide security to the life, limb and liberty of the petitioners. It is in this petition that an application was moved by the petitioner, leading to passing of order dated 30.05.2018, followed by order dated 16.07.2018.

Both the orders dated 30.05.2018 and 16.07.2018 have been perused and the same do not bring the respondents within the ambit of Contempt of Court Act and in any case this Court fails to understand as to how the contempt would be made out in pursuance of the above referred two orders, especially when both the petitioners (in Criminal Misc. No.20494 of 2018) are major and as per their assertion have performed marriage.

The present contempt petition is totally misconceived and, therefore, the same is dismissed with costs of ₹20,000/- to be deposited with the High Court Legal Services Authority, Chandigarh, within a period of one month from today as the petitioner has made an effort to misuse the process of Court and the contempt proceedings in particular to arm twist his daughter by pressurizing the Government machinery via the Court, which cannot be permitted.

Copy of this order be sent to the Director, High Court Legal Services Authority, Chandigarh, for information.

August 20, 2018
khurmi

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No