

COCP-3668-2018

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

COCP-3668-2018

Date of Decision: November 15, 2018

Harwinder Pal Singh

...Petitioner

Versus

Parsmeet Rishi, PCS,

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

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

AUGUSTINE GEORGE MASIH, J. (ORAL)

Petitioner has approached this Court alleging disobedience of the orders dated 28.05.2015, 31.08.2015 (Annexure P-1 colly) and 21.08.2018 (Annexure P-4) passed by this Court in CRM-M-18085-2015 and CRM-27835-2015.

Learned counsel for the petitioner has stated that initially, petitioner had approached this Court by filing CRM-M-18085-2015, wherein, this Court had passed an order while issuing notice of motion that the trial Court is directed to adjourn the case beyond the date fixed by this Court. Subsequently, vide order dated 31.08.2015, interim order dated 28.05.2015 was ordered to continue till further orders. On 21.08.2018, this Court had proceeded to pass an order, whereby, directions were issued to the trial Court to dispose of the application moved by the prosecution for amendment of the charge under Section 216 of Code of Criminal Procedure within a period of three weeks from the date already fixed therein. In

COC-3668-2018

pursuance thereto, the trial Court has not only proceeded to decide the application under Section 216 of Code of Criminal Procedure but has also proceeded to amend the charge-sheet vide order dated 28.09.2018 (Annexure P-8). This, counsel for the petitioner states, is violative of the order passed by this Court and therefore, contempt has been committed by the respondent.

Having considered the submission made by the learned counsel for the petitioner, this Court is unable to accept the same as once an order dated 21.08.2018 has been passed directing the trial Court to dispose of the application and the trial Court has proceeded to decide the application by allowing the same, natural consequence thereof was for amendment of charge-sheet, which has been done by the said Court, which cannot be said to be violative of the orders passed by this Court in any manner, rather it is in consonance and in pursuance to the orders passed by this Court.

The present contempt petition is devoid of merit and therefore, the same stands dismissed.

November 15, 2018

Harish

**(AUGUSTINE GEORGE MASIH)
JUDGE**

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