

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

COCP-1513-2003

Date of Decision: 25.04.2018

Court on its own motion

.. Petitioner

Vs.

Bhupinder Singh

..Respondent

**CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI
HON'BLE MR. JUSTICE INDERJIT SINGH**

Present: Mr. H.S. Sullar, DAG, Punjab.

...

A.B. Chaudhari, J.

Perusal of the file which appears to have been misplaced in the record room for quite some time has been traced out and placed before us. It shows that this Court took cognizance suo moto finding that a prima facie case for criminal contempt was made out against Head Constable Bhupinder Singh c/o Senior Superintendent of Police, Majitha. The Senior Superintendent of Police, Amritsar on 01.04.2003 had directed Head Constable Bhupinder Singh to execute non-bailable warrants against Dimpa. We then find that instead of arresting Dimpa, the said Head Constable accepted the bail bonds and released Dimpa on bail. Senior Superintendent of Police, Amritsar came to the conclusion that deliberately the non-bailable warrants were not executed by said Head Constable Bhupinder Singh. This Court, therefore, found that Bhupinder Singh had disobeyed the orders and committed the contempt of Court. The said Head Constable was granted an opportunity to show cause, but he did not give any reply. In the meanwhile, the Senior Superintendent of Police had let him off by imposing a minor penalty of censure. This Court however, being dissatisfied thought that it was necessary to initiate criminal proceedings against the Head Constable

Bhupinder Singh for contempt of Court and accordingly, the papers were

directed to be placed before Hon'ble the Chief Justice. The Division Bench headed by Hon'ble the Chief Justice on 30.01.2004 issued notice. Since then, the present matter is pending before this Court. As stated earlier, it appears that the papers of petition were lost somewhere. Looking to the entire matter, undoubtedly, there is lapse on the part of the Head Constable Bhupinder Singh in not carrying out the orders regarding execution of non-bailable warrants in the correct perspective. But considering the long period that elapsed and the nature of the contempt he is said to have committed, we do not think it necessary to continue with the present contempt proceedings against him. In that view of the matter, we make a following order:-

Order

“COCN No.1513-2003” is disposed of and the present proceedings are dropped.

(A.B. CHAUDHARI)
JUDGE

(INDERJIT SINGH)
JUDGE

April 25, 2018
Jasmine Kaur

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No