

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

CROCP No.12 of 2016

Date of decision: July 12, 2018

Court on its own motion

Versus

Kuldip Raj Kaila

.....Respondents

CROCP No.13 of 2016

Court on its own motion

Versus

Sushant Nanda and another

.....Respondents

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

Present: Mr. H.S. Randhawa, Advocate for contemnor-Sushant Nanda.

Mr. Kuldip Raj Kaila-Contemnor-in-person.

A.B. CHAUDHARI, J.

This Court had on its own motion registered two contempt petitions against the contemnors-Sushant Nanda and Kuldip Raj Kaila i.e. CROCP-12 & 13 of 2016 on the reference made by the Court of JMIC, Nakodar, as well as the Sessions Court, Jalandhar. Thereafter, in these petitions, this Court having taken cognizance, issued bailable warrants for appearance of the respondents-contemnors. On appearance, Sushant Nanda has tendered un-conditional apology on the first date, but was not accepted as Mr. Kuldip Raj Kaila did not appear. On the next date, he appeared and as such, the proceedings were taken up. It was found from the record that Mr. Kuldip Raj Kaila has made un-warranted grievance against the Division Bench,

which issued bailable warrants for attendance of the contemnors by putting in writing the objectionable remarks about the learned Judges of this Court dealing with those contempt petitions. This Court *prima facie* found that Mr. Kuldeep Raj Kaila again indulged in third contempt by making objectionable remarks against the sitting judges of this Court who had only issued bailable warrants for securing his presence. This Court then framed charge against Mr. Kuldeep Raj Kaila and also supplied him a copy of charge when he appeared before this Court. Thereafter, the proceedings were heard on the last date. Finally in all the three contempt matters were closed for orders on 10.07.2018.

Today at about 12.50 P.M., Mr. Kuldeep Raj Kaila made a mention before this Court that he wanted to tender an un-conditional apology in all these three matters and stated that his apology is bona fide. He submitted that he is a senior citizen and does not have good health. He also submitted that he feels regret for whatever was done by him to the JMIC as well as Sessions Court and lastly to this Court. We asked him to file affidavit expressing un-conditional apology in order to find out whether the apology is bona fide or not. Accordingly, again today, at 2.15 P.M., he has tendered a common affidavit which we have taken on record which shall form part and parcel of the record.

Looking to the affidavit filed by him, we find that we should magnanimously accept the un-conditional apology tendered by him as we find that he has not only expressed regret for whatever was done by him but he has also stated that he will not repeat the same in future and he would not cause any interference in the administration of justice. He also stated so orally. We accept his statements.

We think the apology is bona fide. He having regretted for

whatever has been done and that he would not repeat it in future. We would drop the proceedings for contempt in all these three petitions. We also accept the unconditional apology by Sukant Nanda.

In the result, we make the following order:-

ORDER

- (i) CROCP-12 & 13 of 2016 and the order dated 07.05.2018, in which charge was framed against Kuldeep Raj Kaila by this Court, stand dropped.
- (ii) CROCP-12 & 13 of 2016 against Sushant Nanda stand dropped.
- (iii) No order as to costs.

(A.B. CHAUDHARI)
JUDGE

(KULDIP SINGH)
JUDGE

July 12, 2018
anju rani

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