

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

**CRM-15386-2019 IN/AND
CROCP No. 5 OF 2019
Date of Decision: 14.5.2019**

Court on its own motion

.....Petitioner

Vs.

Rakesh Bhatia, Advocate

.....Respondent

**CORAM: HON'BLE MR. JUSTICE RAKESH KUMAR JAIN
HON'BLE MR. JUSTICE HARNARESH SINGH GILL**

Present: Mr. Rakesh Bhatia, Advocate in person with
Mr. J.S.Dhaliwal, Advocate for
Mr. Harpreet Singh Brar, Advocate.

RAKESH KUMAR JAIN, J. (ORAL)

CRM No. 15386 of 2019

This application is filed under Section 482 of the Code of Criminal Procedure, 1973 for placing on record the reply to the contempt petition.

The application is allowed as prayed for. Reply is taken on record.

CROCP No. 5 OF 2019

The proceedings in this case were initiated on a letter bearing No. 621 dated 23.3.2018 written by Mr. Sanjeev Mago, Presiding Officer, Debt Recovery Tribunal-III, Chandigarh in which it is alleged that the respondent has misbehaved with the Reader of the Court and the Hindi Stenographer by using unparliamentary/abusive language. In view thereof, the matter was registered as CROCP No. 5 of 2019 as Court on its own

motion versus Rakesh Bhatia, Advocate. Notice was issued in this case on 27.3.2019 pursuant to which, reply is filed today by the respondent with a miscellaneous application which has been separately allowed.

The respondent has put in appearance and submitted that he holds all the Courts of law in highest esteem and cannot even think of scandalizing or to lower the authority of any Court. He has tendered his unconditional apology. Besides that, it is also alleged that the complaint made by Sh. Mithun Mehta (Reader) and Kishan Singh (Hindi Steno) pertaining to the alleged incident dated 15.3.2018 stands withdrawn by them and the said request was sent to the Bar Council of Punjab and Haryana, Chandigarh with which the respondent has been enrolled as an Advocate stating therein that the matter has been compromised between the parties.

We have also perused the letter written by Mr. Mithun Mehta (Reader) and Mr. Kishan Singh (Hindi Steno) dated 6.6.2018 to the Chairman, Bar Council of Punjab and Haryana and also the letter of Mr. Harpreet Singh, Hon'y Secretary, Bar Council of Punjab and Haryana, Chandigarh by which the application for withdrawal of the complaint has been allowed.

Although an altogether separate course of action was adopted by the complainant for initiating action against the respondent who happens to be a practicing Advocate and is enrolled with Bar Council of Punjab and Haryana, Chandigarh for the purpose of taking him to task in terms of the Advocates Act, 1961 but the present proceedings have been initiated by this Court in terms of Section 2(c) of Contempt of Court Act, 1971, however, keeping in view the fact that the matter has now been amicably settled

between the parties as the complaint has been withdrawn from the Bar Council and the respondent has tendered unconditional apology, we do not find any reason to proceed further in this petition.

The contempt petition is, thus, hereby disposed of. Rule is discharged.

(RAKESH KUMAR JAIN)
JUDGE

(HARNARESH SINGH GILL)
JUDGE

May 14, 2019
Gurpreet

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