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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CM-19314-CII-2019 in/and
COCp-1767-2019

Date of decision: 18.09.2019

M/S NEW BHARAT RICE MILL, FAIZPURA ROAD, BATALA
.. PETITIONER

VERSUS

PARBODH KUMAR AND ANOTHER .. RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Vipin Mahajan, Advocate
for the petitioner.

Mr. Kanisth Ganeriwala, AAG, Punjab.

Mr. J.S.Mehndiratta, Advocate
for the applicants-respondents.

AVNEESH JHINGAN, J. (Oral)

CM-19314-CII-2019

This application has been filed by Sh. Sushil Kumar Mittal and Sh. Sameer Mittal as respondents No. 3 and 4 for being impleaded as party in the contempt proceedings.

The applicants are not necessary party in the present contempt petition, moreover, they have their remedies in accordance with law for redressal of grievance, if any for being named in the FIR.

CM is dismissed.

COCp-1767-2019

The present contempt petition has been filed alleging wilful disobedience of the order dated 08.11.2017 passed by this Court in CRM-M No. 32279 of 2017. The operative part of the order is reproduced below:

“5. In the circumstances, without making any comment on the allegation regarding alleged shielding of the accused persons by the Police Authorities, this Court is of the opinion that in any case, this is a fit matter to be investigated by an

Authority which is competent to monitor the proceedings throughout the State in various Districts.

6. *Consequently, the pending investigation is ordered to be transferred for further investigation by the Bureau of Investigation, Punjab Police. The Director of the Bureau is directed to appoint competent Officers for this purpose, within a fortnight from the communication of this order.*

7. *The second prayer regarding drawing up of F.I.Rs. in the District of Ferozepur shall be considered by the Investigation Team to be appointed by the Director of the Bureau of Investigation, Punjab Police, which shall thereafter take appropriate steps in the matter.*

8. *The Investigation Team, to be constituted by the Director of the Bureau of Investigation, Punjab Police, shall thereafter submit its final Report of investigation to the competent Court as expeditiously as possible.*

9. *Disposed off.”*

A compliance report by way of affidavit of Sh. Prabodh Kumar, IPS, Director, Bureau of Investigation, Punjab, filed in Court today, is taken on record. A copy of the same is handed over to learned counsel for the petitioner. In the reply, it has been pleaded that the investigation with regard to FIR No. 160 dated 11.08.2017 was transferred to Bureau of Investigation, Punjab. On conclusion of investigation, chargesheet was filed in the Court. Further it has been pleaded that the investigating agency came to the conclusion that no separate case is required to be registered at Fatehabad.

In view of the pleadings in the reply which are not contradicted by the learned counsel for the petitioner. The contempt petition is disposed of.

However, the petitioner is at liberty to file fresh, if grievance still survives.

Rule issued against the respondents is discharged.

18th September, 2019

shabha

(AVNEESH JHINGAN)

JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*