

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

COCP No. 2307 of 2019

Date of Decision: 04.07.2019

Neelam Devi

.....Petitioner

Versus

Om Parkash Bishnoi, ACP, Panchkula

.....Respondent

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Ranjan Lakhanpal, Advocate with
Mr. Ajay S. Dhillon, Advocate
for the petitioner.

AVNEESH JHINGAN, J.(oral)

This contempt petition has been filed alleging non-compliance of order dated 13.3.2019 passed by this Court in CRM No. 7258/2019 in CRM-M No.3442/2017.

The order is reproduced below:

"Notice in the application.

On asking of the Court, notice on behalf of respondent-State has been accepted by Mr. Arun Beniwal, DAG Haryana.

Copy of the application be supplied to learned State counsel during course of the day.

Adjourned to 09.04.2019."

The facts summarized are that on the complaint of the petitioner FIR No. 292 dated 17.11.2016 was registered against Satish Kumar at Police Station Chandi Mandir (Haryana) under Sections 148/149/323/427 IPC and 3(F)(G)(S)(Z) of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989. Satish Kumar filed a quashing petition in this Court numbered as CRM-M-3442 of 2017.

During the pendency of the said petition, the complainant moved an application for a direction to shift investigation of the FIR case to some other district. Notice was issued in the application on 13.3.2019. In the meantime, discharge report was filed by the police authorities and the petitioner vide order dated 24.5.2019 withdrew the quashing petition as having been rendered infructuous.

The contention raised by learned counsel for the petitioner is that the notice was issued in the application and without filing the reply, the discharge report was filed, there is violation of order dated 13.3.2019.

The contention raised is not well founded. Only notice was issued in the application, there was no stay granted by this Court. The grievance of the petitioner is with regard to discharge report filed by the police authorities. If aggrieved of the said action, there is a fresh cause of action for which a remedy in accordance with law can be availed.

No case for intentional disobedience is made out.

Dismissed.

(AVNEESH JHINGAN)
JUDGE

04.07.2019

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Whether speaking/reasoned	Yes
Whether Reportable:	No