

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

CROCP-8-2016

Date of Decision: 13.02.2020

Court on its own Motion

... Petitioner

Vs.

Sangeeta Tatarwal and another

... Respondents

CORAM : HON'BLE MR. JUSTICE JASWANT SINGH

HON'BLE MR. JUSTICE SANT PARKASH

Present : Mr. Gurnoor Sandhu, Advocate for
Mr. Gurminder Singh, Sr. Advocate (*Amicus Curiae*).

Mr. S.S. Narula, Advocate for both the contemnors.

JASWANT SINGH, J. (Oral)

The instant contempt petition was preferred in view of the reference received from the District and Sessions Judge, Sonapat, mentioning *prima facie* that respondents-contemnors (the then S.D.O (Civil) Ganaur & D.C. Sonapat) are guilty of commission of offence especially under Sections 166, 186, 187 and 217 of the Indian Penal Code, by causing obstruction in the execution of the warrants of attachment by the Bailiff.

In pursuance of the reference in question, vide order dated 30.05.2018, fresh report was called for from the District and Sessions Judge, Sonapat, to the effect that whether for the offence alleged to have been committed, any action has been taken and whether the reference could be sent to this Court under proviso to Section 10 of the Contempt of Courts Act. In this regard, report was received. This Court after perusing the report issued notice to the respondents-contemnors to show cause as to why proceedings be not initiated against them for having committed contempt of Court under Section 10 read with Section 12 of the Contempt of Courts Act, 1971.

Upon notice, respective affidavits dated 27.02.2019 and 16.05.2019 with the same averments have been filed by the respondents-contemners today in Court stating in paras-2 and 3 as under:

“2. That in order to up-hold the magnanimity of the judiciary, without going into the merits of the case and submitting a counter controverting the report submitted by the then District and Sessions Judge, Sonipat dated 09.03.2016, the deponent tenders unqualified apology.

3. That the unqualified apology tendered by the deponent may kindly be accepted and the rule against the deponent discharged with an observation that the apology tendered shall not amount to acceptance of the findings of the District and Sessions Judge, Sonipat set out in the enquiry report and shall have no adverse effect on proceedings/defence/petition (CRM-M-17008-2016) relating to suo-moto criminal proceedings taken up against the deponent by the Chief Judicial Magistrate, Sonipat vide order dated 09.03.2016 under Section 190(1) (c) for commission of alleged offence under Section 166 IPC.”

Even at the time of hearing today, respondents-contemners have expressed their apologies. We accept the oral explanation as also the written unconditional apologies.

Accordingly, Rule is discharged and the present contempt petition is disposed of.

(JASWANT SINGH)
JUDGE

(SANT PARKASH)
JUDGE

13.02.2020

rajeev

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No