

117 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCp-1285-2021

Date of Decision : 13.08.2021

MANISH GILL

...Petitioner

Versus

GURPREET SINGH

....Respondent

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. Rahul Bhargava, Advocate for the petitioner.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.

2. Prayer in the petition under Section 12 of the Contempt of Courts Act, 1971, is for initiating proceedings against the respondents for intentionally and willfully disobeying order dated 23.04.2021 passed in CRM-M-17199-2021.

3. Learned counsel contend that vide order Annexure P-1 dated 23.04.2021 in CRM-M-17199-2021, Commissioner of Police, District Jalandhar and Senior Superintendent of Police, Rural, District Jalandhar Rural were directed to examine the petitioner's representation dated 16.04.2021 and thereafter take appropriate steps as warranted in accordance with law within four weeks from the date of communication of the order but on failure of the respondents to do the needful, the instant contempt petition was filed.

4. Issue notice to the respondent to show cause as to why proceedings under the Contempt of Courts Act, 1971 be not initiated against him.

Mr. Aditya Sharda, AAG, Punjab, accepts notice and has filed reply along with Annexure R-2 i.e. copy of communication dated 30.04.2021 from the Commissioner of Police, Jalandhar to the Senior Superintendent of Police, Rural, District Jalandhar, Rural, to examine the petitioner's representation dated 16.04.2021 on account of jurisdiction qua the complaint vesting with the Senior Superintendent of Police, Rural, District Jalandhar, Rural, besides, order Annexure R-3 dated 14.05.2021 passed by the Senior Superintendent of Police, Rural, District Jalandhar, Rural, rejecting the petitioner's representation dated 16.04.2021. Reply is taken on record and copy thereof supplied to learned counsel for the petitioner, who on perusal thereof states that he does not wish to pursue the contempt petition and the same may be disposed of as such while granting liberty to the petitioner to challenge order dated 14.05.2021 by way of appropriate proceedings in accordance with law.

5. The same is not objected to by the learned State counsel.

6. In view of the position noted above as well as statement of learned counsel for the petitioner, no action under the Contempt of Courts Act, 1971 is warranted against the respondents. Accordingly, the contempt petition is disposed of as such while granting liberty to the petitioner as prayed for.

7. Rule discharged.

(B.S. Walia)
Judge

13.08.2021

'Renu'

Whether speaking/ reasoned : *Yes/No*
Whether reportable : *Yes/No*