

COCp-1698-2021

Date of Decision: 01.09.2021.

GURMINDER SINGH @ MUNDRA

...Petitioner

vs.

D.K.TIWARI AND ANR

...Respondents

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

Present: Mr. Shailendra Sharma, 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 28.04.2021 and 30.04.2021 passed in CWP-PIL-77-2021.
3. Issue notice to the respondents to show cause as to why proceedings under the Contempt of Courts Act, 1971 be not initiated against them.
4. Ms. Deepali Puri, Addl. AG, Punjab accepts notice on behalf of the respondents and has filed reply alongwith Annexure R-1 dated 23.08.2021. The same is taken on record. Copy thereof supplied to learned counsel for the petitioner who states that in view of the reply as well as communication Annexure R-1 dated 23.08.2021 whereby parole of the convict / petitioner has been extended till the next of hearing in CRR-2453-2019 (next date as stated by learned counsel for the parties is 29.09.2021) letter Annexure P-6 has been taken back besides it has been directed that no

(Temporary Release) Act, 1962, the petitioner is not interested in pursuing the contempt petition and the same may be disposed of as such.

5. I have gone over the reply filed by the respondents. In paragraph No.10 of the reply, the respondents have submitted an unconditional apology besides assured that in future personal attention would be given for ensuring compliance to the orders passed by this court.

6. Further, in paragraph No-7 of the reply it has been mentioned that parole of the convict as per guidelines of the High Powered Committee could not be implemented earlier inadvertently but there was no malafide intention on the part of the respondents to defy any orders passed by this court. Accordingly, in the light of the position noted above, I accept the unconditional apology tendered by the respondents.

7. Contempt petition is disposed of as such.

8. Rule discharged.

(B.S. Walia)
Judge

01.09.2021.

'Rajesh'

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