

COCP No.36 of 2021

Date of Decision : 08.01.2021

Akashdeep

...Petitioner

Versus

Sikander Singh and another

....Respondents

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

Present : Mr. Deepak Arora, Advocate for the petitioner.

B.S. Walia, J. (VC)

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

2. Learned counsel contends that despite order dated 12.11.2020 in CRWP No.9387 of 2020, directing the Commissioner of Police, Jalandhar, to consider and decide representation dated 08.11.2020 and in case of finding threat to the petitioner to take necessary steps, for providing security in accordance with law, needful has not been done, till date, therefore, respondent No.2 is liable to be proceeded against under the Contempt of Courts Act, 1971 for intentional and willful disobedience of order dated 12.11.2020 in CRWP No.9387 of 2020.

3. Issue notice to respondent No.2 only to show cause as to why proceedings under the Contempt of Courts Act, 1971 be not initiated against him for intentional and willful disobedience of order dated 12.11.2020 in CRWP No.9387 of 2020.

behalf of respondent No.2 and states that the area in question, where the petitioner resides falls within the jurisdiction of Senior Superintendent of Police, Jalandhar (Rural), therefore, action, if any, in the matter is to be taken by the Senior Superintendent of Police, Jalandhar (Rural). Learned State Counsel further states that as per instructions of the Senior Superintendent of Police, Jalandhar (Rural), decision on the representation of the petitioner would be taken within 02 weeks from today and on assessment of threat perception, appropriate steps to provide security to the petitioner as may be warranted in the facts of the case would be taken in accordance with law.

5. Learned State Counsel further assures that in the interregnum i.e. till assessment of threat perception to the petitioner, appropriate steps would be taken through area security to ensure the safety of the petitioner.

6. The same satisfies learned counsel for the petitioner, who states that in the circumstances, he does not press the contempt petition and the same may be disposed of as such at this stage with liberty to the petitioner to file fresh contempt petition, if the circumstances of the case, so warrant.

7. Accordingly, in the light of the position as noted above, as well as statement of learned counsel for the petitioner, the contempt petition is ***disposed of*** as not pressed, at this stage, while directing the Senior Superintendent of Police, Jalandhar (Rural) to decide the representation of the petitioner dated 08.11.2020 within 02 weeks from today and to take appropriate steps, as may be warranted in the facts and circumstances of the case in accordance with law on assessment of threat

perception to the petitioner. It is further directed that till such time that decision is taken on the representation on assessment of threat perception to the petitioner and follow up action taken thereupon, the Senior Superintendent of Police, Jalandhar (Rural) would ensure the protection of life and liberty of the petitioner through area security/other measures as deemed appropriate.

9. Needless to mention, in case, the needful is not done within the stipulated period of time, the petitioner would be at liberty to move an application for revival of the contempt petition.

(B.S. Walia)
Judge

January 08, 2021
'Rajneesh'

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