

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

**CACP No.2 of 2012 (O&M)
Date of decision : 02.09.2022**

TASMINDER SINGH @ JASMINDER SINGH

..... APPELLANT

VS

KULWINDER KAUR

..... RESPONDENTS

**CORAM : HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH
HON'BLE MR.JUSTICE ALOK JAIN**

Present :- Mr. Amandeep Singh Rai, Advocate
for the appellant.

Mr. Rohit Bansal, Senior DAG, Punjab.

Mr. M.S. Sachdeva, Advocate
for the respondent.

AUGUSTINE GEORGE MASIH, J. (Oral)

This appeal is preferred against the order dated 19.01.2012 passed by learned Single Judge in a Contempt Petition which was preferred by respondent No.1 because of non-compliance of the order/undertaking given to the Court, this Court had come to the conclusion that the appellant had knowingly, deliberately and willfully breach his own undertaking given to the Court and thus held guilty under Section 2(b) of the Contempt Courts Act, 1971, leading to his punishment for a period of six months civil imprisonment.

It is the contention of learned counsel for the parties that the matter has been amicably resolved now, and the compromise in the shape of affidavit entered into between the parties on 01.09.2022. It has further been stated that the appellant is 82 years old person and has already undergone custody

period of more than two months. The relief which was intended to be granted to the respondent has, therefore, been satisfied as per the settlement dated 01.09.2022, photocopy of which has been produced in Court, which is taken on record.

Counsel for respondent No.1 has also acknowledged the fact that there are no more dues, which had to be paid by the appellant.

Learned counsel for the appellant has submitted that the appellant has tendered an unconditional apology to the Court.

Having considered the facts and circumstances of the present case and keeping in view the period since the order of conviction had been passed, the appellant having already undergone more than two months of actual custody period in pursuance to the punishment order passed by this Court, we partly accept the present appeal by reducing the sentence to the period already undergone since the notice was only issued to the limited aspect of quantum of sentence.

Appeal stands disposed of accordingly.

(AUGUSTINE GEORGE MASIH)
JUDGE

(ALOK JAIN)
JUDGE

02.09.2022

Manju

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No