

[230] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCN No.869 of 2022
Date of Decision : 31.10.2022

ABHINAV JAIN

...Petitioner

Versus

KAUSTUBH SHARMA,
COMMISSIONER OF POLICE,
LUDHIANA

....Respondent

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

Present : Mr. Vaibhav Sehgal, Advocate for the petitioner.
Mr. Rajesh Mehta, Addl. A.G., Punjab.

B.S. Walia, J. (Oral)

[1] Prayer in the petition is for initiation of proceedings against the respondent for intentional and willful defiance of order, Annexure P/1, dated 15.02.2021 in CRM-M No.6884 of 2021 in case titled as Abhinav Jain vs. State of Punjab and Ors.

[2] A perusal of order Annexure P/1 reveals that CRM-M No.6884 of 2021 was disposed of by directing the respondent to look into the assertion of the petitioner as regards the illegal detention of scooter bearing Registration No. PB-10HD-8306 and to dispose of the representation dated 05.01.2020 in accordance with law in case the same had not already been decided.

[3] Learned Addl. A.G. refers to the compliance report by way of affidavit dated 13.05.2022 filed on behalf of the respondent to contend that inquiry was conducted in the matter by Inspector Parveen Randev, Incharge, CIA-II, Ludhiana as well as the concerned police officials who were associated in the inquiry and their statements were recorded from

which it emerged that on 19.11.2019, the brother of the petitioner and co-accused were apprehended by Inspector Parveen Randev, Incharge, CIA-II, Ludhiana with 2kgs-400gms heroin in Swift Car No. PB-10BV-5773 and that neither the brother of the petitioner was picked up from TVS Jupiter nor the said Jupiter was ever taken in possession by the Police and the photographs produced by the petitioner revealed that the TVS Juptier and a motorcycle were lying parked at some unknown place and not in any police station or CIA-II, Ludhiana. Likewise, pen drive produced by the petitioner and perused by the said ACP revealed that the father of the petitioner was standing in the premises of CIA-II, Ludhiana and was saying something but the TVS Jupiter was not seen there. It has further been mentioned that efforts were made to check the CCTV footage of the cameras installed in CIA-II, Ludhiana but since the capacity for data storage in the DVR is for 30 days only, therefore, the CCTV footage pertaining to November, 2019 could not be checked at the time of inquiry by the ACP in May, 2021, accordingly, orders of this Court having been complied with, no further action is called for against the respondent in the instant petition.

[4] Learned counsel for the petitioner states that in view of compliance report as well as inquiry report, Annexure R-1/T, he does not press the instant petition and the same may be disposed of as such with liberty to the petitioner to challenge the same by way of appropriate proceedings in accordance with law.

[5] In view of the position noted above, as well as statement of learned counsel for the petitioner, the contempt petition is *disposed of* as not calling for any action against the respondent under the Contempt of

COCp No.869 of 2022

[3]

Courts Act, 1971, while granting liberty to the petitioner as prayed for.

[6] Rule discharged.

(B.S. Walia)
Judge

31.10.2022
'Amit'

<i>Whether speaking/ reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>