

Rajiv Sehgal

...Petitioner

Versus

Gursharan Singh Sandhu and another

...Respondents

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Mr. Shubham Mehta, Advocate for the petitioner.
Mr. Ayush Sarna, AAG, Punjab.

B.S. Walia, J. (Oral)

[1] Prayer in the instant petition is for initiating proceedings against the respondents for intentional and willful defiance of order, Annexure P/2 dated 06.01.2022 in CRM-M No.43 of 2022 in case titled as Rajiv Sehgal vs. State of Punjab and Ors.

[2] A perusal of order, Annexure P/2 reveals that CRM-M No.43 of 2022 was disposed of by directing the competent authority to decide the representation submitted by the petitioner within four weeks.

[3] Notice has yet not been issued in the instant case, however, learned AAG has produced copy of communication of Commissioner of Police, Jalandhar addressed to the Assistant Registrar (Criminal), Punjab and Haryana High Court, Chandigarh dated 29.01.2022 informing that the complaints filed by the father of the petitioner as well as petitioner had been inquired into and it had been found that the matter was of civil nature on account of property dispute between the parties, besides, the allegations regarding beating to the father of the petitioner by Varinder Sehgal and his wife Preeti Sehgal were not

proved and that no further action was required to be taken in the matter, therefore the complaints filed by the petitioner as well as his father be filed. The said report is taken on record. Copy thereof supplied to learned counsel for the petitioner, who on perusal thereof, disputes the finding recorded therein.

[4] I have considered the submissions of learned counsel for the parties.

[5] Admittedly, vide order, Annexure P/2 dated 06.01.2022 in CRM-M No.43 of 2022, respondent had been directed to consider and decide the representation submitted by the petitioner within four weeks and the same was decided within the stipulated period of time and the complaints moved by Sh. Dev Raj Sehgal, father of the petitioner as well as the petitioner were ordered to be filed. However, learned counsel for the petitioner contends that the petitioner's father has died on 24.11.2020.

[6] In the light of the position noted above especially in view of the complaints having been decided and no merit having been found in the same, no further action under the Contempt of Courts Act, 1971 are called for against the respondent.

[7] Accordingly, the contempt petition is disposed of as such while granting liberty to the petitioner to challenge the aforementioned communication dated 29.01.2022 by way of appropriate proceedings in accordance with law, if so advised.

(B.S. Walia)
Judge

14.07.2022

'Amit'

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