

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-32281-2022
DECIDED ON: 21.11.2022

JASVIR

.....PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL.

Present: Mr. Ramesh Hooda, Advocate
for the petitioner.

Mr. Deepak Sabharwal, Addl. A.G., Haryana.

SANDEEP MOUDGIL, J (ORAL)

In pursuance to the order dated 02.11.2022, passed by this Court, Mr. Waseem Akram, IPS, Superintendent of Police, Jhajjar, is present in Court today and has filed an affidavit dated 15.11.2022, wherein he has given reasons for his non-appearance on 02.11.2022. Relevant Para Nos.4 and 5 are reproduced hereinbelow:-

“4. That the Hon'ble High Court vide its order dated 30.09.2022 directed the undersigned to remain present before the Hon'ble Court on 02.11.2022. But due to Panchayat Elections, the deponent couldn't leave the district on 2nd November, 2022 in order to maintain the law and order situation and therefore the said request of exemption could not be apprised to the Hon'ble Court

due to the strike call by the Bar Association, High Court and consequently, the deponent was directed show cause as to why contempt proceedings be not launched against him.

5. That it is humbly submitted that the non-appearance of the deponent in the Hon'ble court is not intentional or deliberate in any manner and the deponent tried to apprise the Hon'ble court about the exigent circumstances created due to Panchayat election but it was not brought to the kind attention of the Hon'ble court on the day of the hearing that is 02.11.2022, because of strike call given by the High Court, Bar Association. The deponent holds the Hon'ble court in the highest regard and tenders his unconditional apology for any unwitting affront caused to the Hon'ble court."

Mr. Waseem Akram, IPS, Superintendent of Police, Jhajjar submits that his absence was neither intentional nor deliberate and it was only on account of miscommunication from the office of learned Advocate General, Haryana, he could not appear on 02.11.2022, to assist this Court. He has also assured this Court that such error will not be repeated in future.

Be that as it may, the Officer of the rank of IPS is not expected to ignore the Court directions in any eventuality, however, keeping in view his unconditional apology and assurance to not to repeat such act in future, the order dated 02.11.2022 is recalled and Mr. Waseem Akram, IPS, Superintendent of Police, Jhajjar is exempted from his personal appearance

till further orders.

After arguing for some time, learned counsel for the petitioner prays for withdrawal of the present petition with liberty to take all the pleas during the course of trial.

Allowed as prayed for.

Dismissed as withdrawn with liberty aforesaid.

21.11.2022

Poonam Negi

(SANDEEP MOUDGIL)
JUDGE

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