

121 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCP-2147-2021

Date of Decision :11.01.2022

Khatija

...Petitioner

Versus

Deepak Gehlawat

....Respondent

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

Present : Mr. M.D. Khan, Advocate for the petitioner.
Mr. Pawan Kumar Longia, DAG, Haryana.

B.S. Walia, J. (VC)

[1] Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.

[2] Prayer in the instant petition under Sections 10 & 12 of the Contempt of Courts Act, 1971 is for initiating action against the respondent for intentional and willful defiance of order (Annexure P-1) dated 04.08.2021 in CRM-M No.30941 of 2021.

[3] Learned counsel for the petitioner contends that vide order, Annexure P/1 dated 04.08.2021 in CRM-M No.30941 of 2021, the petition was disposed of by directing the Superintendent of Police, Palwal to consider representation dated 15.06.2021 and decide the same in accordance with law within a period of one month from 04.08.2021 and that the instant petition was filed on account of failure of the respondent to do the needful. Learned counsel however, contends that during the pendency of the contempt petition, the aforementioned order has been complied with and speaking order dated 30.09.2021 has been passed.

[4] Learned State Counsel on the other hand contends that as per

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[2]

the reply, pursuant to the order of this Court dated 04.08.2021 enquiry was marked by the respondent to the Deputy Superintendent of Police on 11.08.2021 who concluded the enquiry and submitted report whereafter speaking order, Annexure R/1 dated 30.09.2021 was passed and that in the circumstances there was no intentional and wilful defiance of order of this Court, Annexure P/1 dated 04.08.2021.

[5] I have considered the submissions of learned counsel for the parties, perused the record and am of the view that in view of the reasons given in the reply as well as in view of speaking order, Annexure R/1 dated 30.09.2021 having been passed by the respondent, there is sufficient compliance with order, Annexure P/1 dated 04.08.2021 in CRM-M No.30941 of 2021, therefore, no action under the Contempt of Courts Act, 1971 is called for against the respondent.

[6] Accordingly, the contempt petition is *disposed of*, as such, while granting liberty to the petitioner to challenge order dated 30.09.2021 passed by the respondent by way of appropriate proceedings, in accordance with law.

(B.S. Walia)
Judge

11.01.2022

'Amit'

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