

Mohinder Singh and another

...Petitioners

Versus

Himanshu Garg, Superintendent of Police,  
Kurukshetra

....Respondent

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Mr. Gauravjit Singh Jagpal, Advocate for the petitioners.  
Mr. Pawan Kumar Longia, DAG, Haryana.

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**B.S. Walia, J. (Oral)**

[1] Prayer in the 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 09.02.2021 in CRWP No.18 of 2021.

[2] A perusal of order, Annexure P/1 dated 09.02.2021 reveals that CRWP No.18 of 2021 was disposed of with a direction to the Superintendent of Police, Kurukshetra to get the matter examined and to dispose of representation dated 23.11.2020 in accordance with law expeditiously.

[3] Notice has yet not been issued in the case. However, Mr. Pawan Kumar Longia, learned DAG has produced copy of speaking order dated 21.09.2021 passed by the respondent, rejecting representation dated 23.11.2020 by holding that the allegations levelled by the petitioners were not proved during the enquiry but in the interest of justice, preventive action under Sections 107/150 CrPC had been initiated on 25.02.2021 vide DDR No.21 against both parties. The said order is taken on record. Copy thereof supplied to learned counsel for the petitioner who on perusal of the

same states that in the circumstances, the petitioner is not interested in pursuing the contempt petition and the same may be disposed of as such while directing the respondent to supply copy of the enquiry conducted on the basis of which said finding had been recorded and also by granting liberty to the petitioner to challenge order dated 21.09.2021 rejecting representation dated 23.11.2020 by way of appropriate proceedings in accordance with law while.

[4] Learned DAG states that he has no objection to the limited prayer made by learned counsel for the petitioners.

[5] In the light of the position noted above as well as statement of learned counsel for the petitioners, no action is called for against the respondent under the Contempt of Courts Act, 1971.

[6] Accordingly, the contempt petition is disposed of as such by directing the respondent to furnish copy of the enquiry report, on the basis of which it was concluded in order dated 21.09.2021 that the allegations levelled by the petitioners were not proved during the enquiry, to the petitioner by registered post within two weeks from today while granting liberty to the petitioners to challenge order dated 21.09.2021 by way of appropriate proceedings in accordance with law.

(B.S. Walia)  
Judge

21.03.2022

'Amit'

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