

COCP-2536-2021

Date of Decision :21.01.2022

Vipan Kumar Gupta

...Petitioner

Versus

Jaswant Singh

....Respondent

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Mr. G.L. Bajaj, Advocate for the petitioner.
Ms. Kanica Sachdeva AAG, Punjab.

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 petition under Sections 10 and 12 of the Contempt of Courts Act, 1971 read with Article 215 of the Constitution of India is for initiating action against the respondent for intentional and willful defiance of order, Annexure P/3 dated 27.08.2021 in CRM-M No.35276 of 2021 in case titled as Vipin Kumar Gupta vs. State of Punjab and Ors.

[3] Learned Counsel contends that vide order, Annexure P/3 dated 27.08.2021, CRM-M No.35276 of 2021 was disposed of by directing the Station House Officer, Police Station Kot Ise Khan, District Moga to forthwith examine representation dated 09.07.2021 submitted by the petitioner and take action thereon as deemed fit in accordance with law.

[4] Notice has yet to be issued in the instant petition. However,

Kamboj, Sub Inspector/SHO, Police Station Kot Ise Khan, District Moga along with Annexure R-1/T dated 21.11.2021 stating therein that the application submitted by the petitioner had been filed as grievance of the petitioner was not substantiated and in view of the investigation, no action was required to be taken by the police.

[5] Learned counsel for the petitioner on the other hand contends that the petitioner has taken up the matter with the Senior Superintendent of Police, Moga and that in the circumstances, the petitioner is not interested in pursuing the instant petition and the same may be disposed of as such while granting liberty to the petitioner to pursue the matter before the Senior Superintendent of Police in accordance with law.

[6] In view of order Annexure R-1/T deciding the application submitted by the petitioner, no action under the Contempt of Courts Act, 1971 is called for against the respondent.

[7] Accordingly, in view of the position noted above as well as statement of learned counsel for the petitioner, the instant petition is disposed of as not calling for any action against the respondent under the Contempt of Courts Act, 1971 while granting liberty to the petitioner to pursue the matter before the Senior Superintendent of Police, Moga in accordance with law.

(B.S. Walia)
Judge

21.01.2022

'Amit'

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