

COCp-2170-2022

Date of Decision :10.10.2022

Anjali

...Petitioner

versus

Rajeev Arora, Additional Chief Secretary and others

....Respondents

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

Present : Mr. Kuldeep Singh, Advocate for the petitioner.

Mr. Pawan Kumar Longia, DAG, Haryana.

B.S. Walia, J. (Oral)

1. Prayer in the petition is for initiating proceedings against the respondent for intentional and willful defiance of order, Annexure P-1, dated 04.08.2022 in CRM-M-25292-2022.

2. A perusal of order Annexure P-1 dated 04.08.2022 reveals that CRM-M-25292-2022 was disposed of with a direction to the Commissioner of Police, Panchkula that in case, the petitioner moved any fresh representation to him restricting her prayer therein to the protection of her life and liberty, he would look into the same and if the petitioner was found to be genuinely deserving protection, then he would take appropriate action strictly in accordance with law, preferably within ten days.

3. Notice has yet not been issued in the instant case. However, learned State counsel has produced copy of order dated 29.09.2022 passed by the Commissioner of Police, Panchkula deciding the representation filed by the petitioner and holding that there was no danger

to the life and liberty of the petitioner at the hands of private respondent No.4 i.e. Sister-in-law of the petitioner with whom the petitioner had a property dispute. The same is taken on record. Copy thereof supplied to learned counsel for the petitioner, who on perusal thereof states that the petitioner wants to recover certain Jewelry lying in said house.

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

5. Admittedly, vide order Annexure P-1, it was directed that in case the petitioner moved any representation restricting her prayer therein for the protection of her life and liberty, to the Commissioner of Police, Panchkula, he would look into the same and if the petitioner was found to be genuinely deserving said protection, then he would take appropriate action in respect thereto, strictly in accordance with law.

Learned DAG refers to order dated 29.09.2022 passed by the Commissioner of Police, Panchkula after recording statement of parties and conducting an enquiry as per which it had come to light that there was a property dispute between the parties as the house of the petitioner was in the possession of Smt. Rajni wife of Sh.Aman Kumar i.e. sister in-law of the petitioner but there was no danger to the life and liberty of the petitioner at the hands of Smt. Rajni.

6. In the circumstances, no action is called for against the respondents under the Contempt of Courts Act, 1971. The contempt petition is accordingly disposed of as such while granting liberty to the petitioner to take out appropriate proceedings in accordance with law qua the grievance for recovery of Jewelry.

(B.S. Walia)
Judge

10.10.2022

ps

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