

COCp-2834-2021

Date of Decision :17.05.2022

BimlaKaundal

...Petitioner

Versus

Mohit Handa (DCP, Panchkula)

....Respondent

Coram : Hon'ble Mr. Justice B.S. WaliaPresent : Ms. Aruna Sachdeva, 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 20.08.2021, in CRM-M-34160-2021.
2. A perusal of order Annexure P-1 reveals that CRM-M-34160-2021 was disposed of by observing that although it was not a fit case for invoking extra ordinary powers under Section 482 Cr.P.C., but since the petitioner had already submitted some representations dated 06.02.2021 and 12.07.2021 to the Deputy Commissioner, Panchkula, it was directed that in case the representations had not been examined, the same be got examined and disposed of in accordance with law.
3. Learned DAG, Haryana, refers to para No.2 of the reply, to contend that in view of complaints from the petitioner as well as others, preventive action was taken against both the parties vide DDE No.35 dated 05.01.2021, U/s 107/150 of Cr.P.C. and DDE No.34 dated 12.04.2021, U/s 107/150 of Cr.P.C., Police Station Pinjore. Thereafter, criminal cross-cases were also registered against both the parties i.e. FIR

No.164 dated 19.04.2021, U/s 323, 34, 427, 506 of IPC, Police Station Pinjore, on the complaint of BimlaKaundal against Anju Rani and others and FIR No.165 dated 19.04.2021, U/s 323, 34, 427, 506 of IPC, Police Station Pinjore, on the complaint of opposite party against BimlaKaundal and others and that after thorough investigation in the matter, final reports under Section 173 of Cr.P.C. had been filed in both the criminal cases on 13.08.2021 and 26.07.2021 respectively before the learned trial Court at Kalka, where the matters are pending trial.

4. Learned DAG, Haryana, states that in the circumstances order Annexure P/1, has been complied with and no action under the Contempt of Courts Act, 1971, is called for against the respondent.

5. Learned counsel for the petitioner states that in view of the aforementioned reply, the petitioner does not press the instant petition and may be permitted to withdraw the same, with liberty to take out appropriate proceedings, in accordance with law, qua the grievance of the petitioner.

6. The same is not opposed to by the learned DAG, Haryana.

7. In view of the position noted above, as well as statement of learned counsel for the parties, 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 as prayed for.

(B.S. Walia)
Judge

17.05.2022

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