

101 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

-.-

COCP-634-2023
DATE OF DECISION: 27.02.2023

Sushil Goel*Petitioner*

versus

P K Aggarwal and others*Respondents*

Coram: Hon'ble Mr. Justice Rajbir Sehrawat

Present: Mr. A S Shera, Advocate for the petitioner

Rajbir Sehrawat, J.(Oral)

The present contempt petition has been filed under Section 12 of the Contempt of Courts Act read with Article 215 of the Constitution of India for initiating contempt proceedings against the respondents for willfully, intentionally, knowingly and deliberately disobeying order dated 05.08.2022 (Annexure P-1) passed by this Court in CRM M-14227-2022.

Although the order dated 05.08.2022 (Annexure P-1) was passed to decide the representation by respondent No. 3, the Station House Officer/Insp. Police Station City Jagadhari, District Yamuna Nagar, however, the SHO is not supposed to decide any representation as such. He is required to take action only as warranted under the law. No actionable cause has been espoused by the petitioner, qua which the SHO could have taken any action; as such.

The grievance of the petitioner is, mainly, regarding filing of complaint under Section 138 of the Negotiable Instruments Act by the

private respondent, despite having received the amount equivalent of the dishonoured cheque. For that, the petitioner would, obviously, be having some other remedy under the law; and he would be free to avail any such remedy.

In view of the above, finding no ground to interfere in the matter, the present contempt petition is dismissed.

However, the petitioner would be at liberty to avail any other alternate remedy, in accordance with law.

(Rajbir Sehwat)
Judge

27.02.2023

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Whether reasoned/speaking
Whether reportable

Yes/No
Yes/No