

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

COCp-2767-2021 (O&M)
Reserved on: 20.09.2023
Decided on: 25.09.2023

Om Parkash

...Petitioner

Versus

Harmanpreet Gill, IPS, SSP, Fazilka and others

...Respondents

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present: Mr. S.S. Sodhi, Advocate
for the petitioner.

Mr. Ayush Sarna, AAG, Punjab.

Respondents No.2 & 3 in person.

ARVIND SINGH SANGWAN, J.

Prayer in this petition is for initiation of contempt proceedings against the respondents for violating the orders dated 07.09.2021 and 10.11.2021 passed in CRWP-8147-2021, vide which the interim bail granted to the petitioner in FIR No.67 dated 07.05.2010 under Sections 379 & 411 IPC, registered at Police Station Fazilka, was extended.

Learned counsel for the petitioner submits that despite the aforesaid orders, on 19.11.2021, respondents No.3 & 4 along with 15-20 persons visited house of the petitioner and extended threats and kept him in

illegal custody and he was released after taking a bribe of Rs.20,000/-. It is thus alleged that action of respondents No.3 & 4 amounts to violation of the orders.

Reply by way of affidavit of respondent No.3 is on record, in which, after giving the facts of the aforesaid FIR, it is stated that the petitioner served a legal notice dated 22.11.2021 with the allegations as mentioned in the present contempt petition. It is further stated that the notice was got thoroughly inquired by Superintendent of Police (Investigation), Fazilka and it has come in the investigation that petitioner Om Parkash is completing his sentence of imprisonment in Jail at Sri Muktsar Sahib in connection with aforesaid FIR No.67 and on completion of parole of six weeks, he was to surrender back in jail on 19.08.2021, but did not surrender back, therefore, on 19.11.2021, by entering rapat No.7 in the Daily Diary of Police Lines Fazilka, a police party went to house of the petitioner along with summons/parvana dated 17.11.2019, vide which the petitioner was directed to appear before the enquiry officer. The petitioner shown a copy of the interim order passed by this Court and on seeing the order, the police party returned back on official vehicle Bolero bearing registration No.PB-65D-8605. It is further stated that no demand of bribe was made from the petitioner nor he was kept in illegal custody. It is also stated that a complaint was received against the petitioner that he has obtained Rs.10.00 lacs for providing job to son of respondent No.4 and in this regard, FIR No.84 dated 31.05.2022 was registered under Sections 420, 465, 467, 468, 471, 120-B

IPC at Police Station City Jalalabad against petitioner Om Parkash.

Learned State counsel has argued that the police is performing the duties in accordance with law and the petitioner is levelling false allegations, so as to stall the investigation of subsequent FIR No.84 registered against him.

After hearing learned counsel for the parties and going through the affidavit, this Court finds that there is nothing on record to suggest that the petitioner was arrested despite grant of interim bail.

Accordingly, the present contempt petition is dismissed.

25.09.2023
vishnu

[ARVIND SINGH SANGWAN]
JUDGE

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