

MOHAN LAL BIMBRA
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112 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

-.-
COCP- 34-2024
Date of Decision: 09.01.2024

Subhash Chand alias Subhash Chander
versus
Shashank Kr. Sawan and others

.....Petitioner
.... Respondents

Coram: Hon'ble Mr. Justice Rajbir Sehrawat

Present: Mr. Vedvret Arya, Advocate for the petitioner

-.-
Rajbir Sehrawat, J. (Oral)

The present petition has been filed under Section 14 read with Section 12 of the Contempt of Courts Act, 1971 for initiating the contempt proceedings against the respondents for willfully violating and not complying with order dated 12.11.2013 passed by Hon'ble the Supreme Court in WP (Cr) 68 of 2008.

The counsel for the petitioner has relied upon the guidelines laid down by Hon'ble the Apex Court in '*Lalita Kumari vs. Govt. of U.P. And others*', **2014 (1) SCC (Cri) 524** to assert the contempt of Court on the part of respondent. However, keeping in view the facts that disputed question of facts are involved in this case, this Court does not find it appropriate to interfere by way of the instant contempt petition. Moreover, no contempt proceedings can be initiated only for the reason that the guidelines laid down in the case of *Lalita Kumari* (supra) has not been followed by a particular police official. In such a situation, the person, who is alleging violations may approach the concerned Court in a different proceedings qua registration of the First Information Report. Even in that jurisdiction, it is for the appropriate Court to assess first whether the FIR deserves to be recorded or not.

In view of the above, this Court does not find any ground to interfere in the matter and to initiate contempt proceedings.

Dismissed.

(Rajbir Sehrawat)
Judge

January 09, 2024

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