

2024:PHHC:108634



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

COCP-1657-2024
Decided on:-22.08.2024

Sukhjinder Singh Petitioner..

VS.

Sh. Surendra Singh Yadav Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Ms. Sukhveer Kaur, Advocate for the petitioner.

Mr. Gunjan Mehta, Additional Advocate General, Punjab.

HARKESH MANUJA J. (Oral)

1. By way of present petition filed under Section 12 of the Contempt of Courts Act, 1971, prayer has been made for issuance of contempt proceedings against the respondent on account of alleged non-compliance of order dated 13.12.2023 passed by this Court in CRM-M-62433-2023. The operative part thereof is extracted hereunder:-

“4. Let the petitioner represent the Director General of Police, within fifteen days from today. If the petitioner files a representation within the above-mentioned time period of fifteen days, then, the same shall be decided by the Director General of Police, within two months, either himself/herself or by authorizing and delegating it to any officer holding IPS cadre. It is clarified that such order must be a reasoned order, and the same be communicated to the representationists without delay. In the representation, petitioner to mention his email I'd as well as his

counsel so that the concerned officer could communicate them the outcome.

5. *Liberty reserved to the petitioner to file fresh petition or to take other legal remedies in accordance with the law.*

6. *It is clarified that there is no adjudication on merits. It is further clarified that this order shall not come in the way if the interrogation of the petitioner is required in any cognizable case.”*

2. In response, learned State counsel informs that vide order dated 20.08.2024, issued by the Director General of Police, Punjab, Commissioner of Police, Amritsar has been appointed as an inquiry officer, who shall conclude the same within a period of two weeks from today.

3. In view of the aforesaid stand taken by the learned State counsel, learned counsel for the petitioner prays for withdrawal of the present petition.

However, the petitioner would be at liberty to seek revival, in case no intimation towards the final inquiry is served upon the petitioner within period of two weeks thereafter. It is made clear that in any eventuality wherein, the petitioner seeks revival on account of in action of the respondent, the concerned officer would be liable to pay a sum of Rs.1 lakh as costs from his/her own pocket in favour of the petitioner.

4. Disposed of accordingly. Rule discharged.

22.08.2024
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(HARKESH MANUJA)
JUDGE

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