



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CONTEMPT PETITION NO.75 OF 2024

[Gajanan Anandrao Deollikar .vs. Anil s/o Ajabrao Thakre]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri Sachin Agrawal, Advocate with Shri Aniruddha Suneri, Advocate for
Petitioner,
Shri R.G. Somkuwar, Advocate for Respondent.
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CORAM : PRAVIN S. PATIL, J.

DATED : 13.10.2025.

1. According to petitioner, in Crime No.0227/2023 registered at Police Station, Sakardhara, Nagpur for the offences under Sections 420, 406, 465, 467, 468, 471 r/w 34 of the Indian Penal Code, respondent was arrested. In Criminal Bail Application No.1214/2023, he has filed pursis dated 8.6.2023 stating that matter is likely to settle between the parties and he will withdraw the suit within one month, pending before Civil Court, Saoner.

2. According to the petitioner, considering this pursis, the learned District Judge, Nagpur has observed in para 4, as under :

4. Heard learned counsel for the applicant and learned APP. The informant is also present before the Court. At this stage, the learned counsel for the applicant filed pursis at Exh.8 contending inter-alia that the applicant would withdraw suit within one month, filed by him against the informant, praying for cancellation of sale deed qua the property in question. Therein, the learned counsel further submitted that the matter would be negotiated between the parties within one month. On this condition, the learned APP and learned counsel

appearing for the informant and the informant have no objection to consider the present application.”

3. According to him, considering the pursis which was placed on record by the respondent, the bail was granted. However, after releasing the applicant, he has not keep this statement and not withdraw the civil proceeding. Hence, according to the petitioner, it is the contempt of the order and, therefore, the respondent be punished under the provisions of the Contempt of Courts Act, 1971

4. The respondent has filed his reply before this court. The respondent in his affidavit dated 13.1.2025 stated that the pursis which was filed before the District Judge was not as per his instructions. Therefore, this court by order dated 1.10.2025 directed to place on record the specific affidavit as to whether he has given instructions to his counsel or not. Accordingly, on 10.10.2025 the affidavit is filed stating that the respondent was not aware about the contents of the pursis nor he has signed the same.

5. The perusal of the order of learned District Judge, dated 8.6.2023, there is a specific mention that in terms of pursis, learned counsel stated that the matter would be negotiated between the parties within one month and on that condition, the parties appearing for the informant have given no objection to consider the bail application.

6. From the affidavit of the respondent filed herein, particularly in para 7, he has specifically stated that the meeting was held on 17.6.2023 between the petitioner and respondent to settle the matter amicably. However, they could not settled the dispute amicably.

7. The record further shows that the petitioner has moved the application for cancellation of bail before the learned District Judge on the same ground and the same was rejected by the learned District Judge by order dated 2.3.2024.

8. It is pertinent to note that there is no specific order of the court that respondent should withdraw the pending suit. The observation made by learned court while granting bail observed that. “matter would be negotiated between the parties within one month”. Accordingly, there was negotiation between parties, but same was failed. Hence, in my view, there is no disobedience of any kind in the matter on behalf of respondent.

9. It seems that petitioner under the garb of contempt is trying to settle civil dispute. The same is not permissible under the provisions of law. Furthermore, there is no order nor any undertaking of respondent to say that he has committed contempt of the same. I find no merit in submission. Hence, petition stands **dismissed**.

(PRAVIN S. PATIL, J.)