



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

CONTEMPT PETITION NO.302 OF 2025

[Balwinder Singh @ Bittu Manjit Singh .vs. Dr. Iqbal Singh Chahel and others]

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

Court's or Judge's orders

Shri M.Z. Pardhi, Advocate h/f Shri H.S. Hurduke, Advocate for Petitioner.
Shri D.V. Chauhan, Senior Advocate/Government Pleader assisted by Shri M.A.
Kadu, AGP for the Respondents.

.....
CORAM : PRAVIN S. PATIL, J.

DATED : 06.11.2025.

1. By this contempt petition, it is alleged by the petitioner that in Criminal Misc. Application No.203/2025, the learned Judicial Magistrate, First Class, Kalmeshwar directed the respondent no.3 to hand over the custody of Rs.7,00,000/- seized in Crime No.853/2024 on Supratnama in favour of the petitioner. However, though the specific order was passed, the respondent no.3 was avoiding to comply the order. Therefore, he first made request on 28.8.2025 to the respondent no.3 to comply the order, but as respondent no.3 failed to comply the order, therefore, he has made request to respondent no.2 and pointed out non-compliance of the order passed by the learned Judicial Magistrate, First Class, Kalmeshwar in the matter. According to him, till the date of filing of contempt petition, the compliance of the order was not done in the matter.

2. This court considering the fact that the respondent no.3 was avoiding to comply the order of JMFC, Kalmeshwar, issued notices to the respondents in the matter.

3. Today when the matter is listed, the learned Government Pleader appearing for the respondents, stated that the order of the JMFC has been complied with on 18.10.2025 and accordingly the custody of Rs.7,00,000/- is already handed over to the petitioner.

4. The learned Government Pleader has placed on record the copy of Supratnama dated 18.10.2025 which is taken on record and marked as 'X' for the purpose of identification.

5. In the present petition, it is noted that the order is passed by the learned Magistrate directing the respondent no.3 to comply the order of handing over the interim custody of Rs.7,00,000/-, however, though there was no order passed against the respondent nos.1 and 2, they are unnecessarily impleaded as a party respondent in the matter. At the time of issuing notice, this fact was not came to the notice of this court because it is the contention of the petitioner that he has made representation to the respondents and, therefore, same are made party to the proceeding.

6. In my view, the petitioner has unnecessarily impleaded the respondent nos.1 and 2 as a party respondents in the matter. Such practice is necessary to be depreciated because the persons who are not related with the subject matter cannot be permitted to implead only for the sake of satisfaction of the petitioner. Therefore, I am specifically recording the findings that the petitioner has unnecessarily and wrongly impleaded the respondent nos.1 and 2 as a party respondents in the matter.

7. In respect of alleged contempt, it is seen from the record that the respondent no.3 has complied with the order passed by the learned JMFC dated 18.1.2025. Therefore, there is no need to proceed against the respondent no.3. Furthermore,

nothing is placed on record that the act of the respondent no.3 is deliberate or intentional to not comply the order of JMFC. Hence, for the aforesaid reasons, as there is no disobedience of the order of JMFC, the Contempt Petition stands dismissed.

(PRAVIN S. PATIL, J.)