

2025:PHHC:048953



167 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

COC-919-2025 (O&M)
Decided on:-07.04.2025

Smt. Lata

....Petitioner..

vs.

Satender Kumar Gupta (IPS), Commissioner of Police
Faridabad

....Respondent.

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr.Balraj Gujjar, Advocate for the petitioner.

Mr.Manish Dadwal, AAG, Haryana.

HARKESH MANUJA J. (Oral)

1. The present contempt proceedings have been sought to be initiated against the respondent on account of alleged willful non-compliance of order dated 02.09.2024 passed by this Court. The operative part thereof is extracted hereunder:-

“2. *Learned State counsel submits that certain complaints were received from the present petitioner, however, after holding the inquiry, no substance was found in the complaints and the complaints have been ordered to be filed. She has further assured the court that the petitioner and her family members shall be protected and in case any application is received with regard to the threat to their lives and liberty, proper legal action shall be taken promptly.*

3. *In view of the statement made by learned State counsel, no further direction is required.*

4. *Needless to observe that the petitioner shall be at liberty to avail her civil as well as criminal remedies, if any, in accordance with law.*

2. In response to the notice issued in the present petition, the respondents have filed affidavit dated 17.03.2025 and the relevant portion thereof is extracted hereunder:-

“That the husband of the petitioner Sanjay Chandila submitted a complaint bearing No. 1008-5P-II dated 29.12.2024 at P.S. BPTP, Faridabad, against Rajesh Nagar, Devender Khari, Sonu Nagar, Nitin Gujjar and Rana Gujjar leveling allegations that Sonu Nagar, Nitin Gujjar and Rana Gujjar have obstructed his way and extended threat to kill. The alleged Sonu Nagar also submitted a complaint bearing No. 1009-5P-II dated 29.12.2024 leveling allegations of abusing and evading duties. On this, enquiries were made at the spot and the allegations were found to be false, therefore, both the complaints were filed

viii) That the petitioner submitted a complaint bearing No. 143-P dated 11.02.2025 for breaking and theft of the CCTV cameras installed in the street. During enquiry, the allegations leveled by the petitioner has been found to be false as the CCTV cameras were found to have been accidentally broken during the electricity work in the street, therefore, the said complaint was filed.

5. *That the present petition has been filed by the petitioner on the basis of a false and frivolous grounds, as also the averments made therein are an attempt on the part of the petitioner to completely misrepresent before this Hon'ble High Court. It is submitted that the speaking order dated 15.01.2025 has been passed on the basis of enquiry report submitted by the Deputy Commissioner of Police, Central, Faridabad, which is sustainable in the eyes of law. It is further submitted that the petitioner is leveling false and frivolous allegations against the answering deponent just to mount pressure and without any subsistence of evidence that the answering deponent has passed the speaking order dated 15.01.2025 absolutely under the direction, influence and asking of the local MLA Sh. Rajesh Nagar.”*

3. In view of the above, the allegations levelled at the instance of petitioner have been gone into by the respondents followed by passing of a speaking order dated 15.01.2025; relevant portion therefrom is reproduced

hereunder:-

“After perusing the report dated 08.01.2025 of Deputy Commissioner of Police, Central, Faridabad, it has come to light that complaint no. 960-5P II dated 05.12.2024, from the perusal of the statements and audios/videos recorded during the investigation, no truth was found in the complaint regarding threatening to kill the petitioner/complainant and his family. Apart from this, case no. is filed against petitioner Lata, her husband Sanjay and family a FIR No. 132/24 Section 323, 341, 34, 506 IPC, FIR No.33/2024 Section 177,181,208,420,427,452,506,34 IPC, FIR No.208/2024 Section 25,109(1),115,190,191(2), 351 (2), 74 BNS, 316/2024 Section 447,506,34 IPC, Police Station BPTP, 977/1998 Section 148, 149,325,452,307 IPC, Police Station NIT, Faridabad and FIR No. 45/2023 Section 391,411 IPC Police station Chhata, Mathura, Uttar Pradesh has been found registered. The petitioner/complainant did not present any evidence regarding threat to kill himself and other members of his family. Therefore, no other action is desired in this regard.

In the above petition, the order dated 02.09.2024 of the Hon'ble Punjab and Haryana High Court, Chandigarh has been followed. The order should be kept on record.

Ref. No. 1355

*dated 15/1/25
Sd/-(Abhishek Jorwal) I.P.S.
Deputy Commissioner of Police, Headquarters,
Faridabad,”*

4. In view of the above, once the allegations levelled at the instance of petitioner have been inquired into and no threat perception has been established; no further orders are required to be passed in the present petition as the merits of the controversy in hand can't be go into in contempt jurisdiction. Accordingly, the present petition is disposed of. Rule stands discharged.

However, the petitioner would be at liberty to avail her remedies in accordance with law, in case, she still feels aggrieved of the inquiry made by the respondents as regards the threat perception to her life

and liberty and that of her family members.

5. Pending miscellaneous applications, if any, shall also stand disposed of.

07.04.2025
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(HARKESH MANUJA)
JUDGE

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