

2025:PHHC:145802



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

COCP-2646-2022 (O&M)

Decided on 16.10.2025

Beerinder Singh

.....Petitioner

Versus

Sukhjinder Singh

....Respondent

CORAM : HON'BLE MR. JUSTICE VIKRAM AGGARWAL

Present: Mr. Onkar Singh Batalvi, Advocate and
Manav Prateek, Advocate, for the petitioners.

Mr. ADS Sukhija, Advocate, and
Mr. Karanveer Singh Lali, Advocate, for the
respondent.

VIKRAM AGGARWAL, J

CM-9494-CII-2025

This is an application under Order 1 Rule 10 read
with Section 151 CPC for impleading applicant-Surinder Kaur,
as petitioner No.2 in the contempt petition.

With no objection from the counsel for the
respondent, the application is allowed and applicant-Surinder
Kaur, is ordered to be impleaded as petitioner No.2 in the
contempt petition. Amended memo of parties is taken on record.

COCP-2646-2022

The instant contempt petition has been filed under
Sections 10 and 12 of the Contempt of Courts Act, 1971 (for

short `the 1971 Act'), alleging willful disobedience of order dated 01.10.2015 passed by a Coordinate Bench in CR-4751-2012 titled as Sukhjinder Singh Vs. Surinder Kaur and others.

2. Parties to the lis are the widow and two sons of one Dr. Harbhajan Singh Yogi. The case set up in the contempt petition is that father of the petitioner (Beerinder Singh) namely Dr. Harbhajan Singh Yogi expired on 11.12.2009. He was owner in possession of House No. 2083, Sector 21-C, Chandigarh and SCO Nos. 1030-31, Sector 22-B, Chandigarh. However, the conduct of the respondent (Sukhjinder Singh), who was also the son of Dr. Harbhajan Singh Yogi, was rude towards his parents as a result of which, he was disowned from the movable and immovable properties and publication dated 19.07.2005 was also issued in this regard.

3. After the death of Dr. Harbhajan Singh Yogi, the attitude of the respondent worsened against his mother and brothers. He even abused and beat up his mother. Certain other allegations have also been leveled, which are not relevant for the purpose of the decision of the instant petition.

4. A suit for permanent injunction was filed by Surinder Kaur (widow of Dr. Harbhajan Singh Yogi) against the present respondent Sukhjinder Singh. Vide order dated 07.03.2011, the Court of Civil Judge (Junior Division), Chandigarh directed both the parties to maintain status quo as regards the properties in dispute till the title in the said properties was established by either of the parties. Against the said order, an appeal was preferred before the Court of Additional District Judge,

Chandigarh. Vide order dated 16.03.2012, the said appeal was dismissed.

5. The respondent then instituted CR-4751-2012 assailing both the orders. During the pendency of the revision petition, the matter was referred to the Mediation and Conciliation Centre. Ultimately, a settlement dated 31.08.2015 was arrived at between the parties. On account of the settlement, the revision petition was withdrawn.

6. It has been averred that as per the settlement, the respondent received Rs.1,42,50,000/- on 01.04.2006 as full and final settlement of his claims. It has been averred that in para 23 of the settlement, it had been recorded that the parties had agreed that none of them would interfere in the peaceful living of each other and would not interfere in the personal and professional business of each other. It has been averred that now, the respondent is intentionally and willfully interfering in the peaceful life of the petitioner and his mother Surinder Kaur by abusing and threatening them. A false complaint had been filed by the respondent against the petitioner on 31.08.2022 to the Office of the Prime Minister (Annexure P.3). Certain other documents have also been placed on record, which include a suit (Annexure P.9) filed by the respondent against the petitioner under the Trade Marks Act, 1999.

7. The respondent has opposed the petition by way of a reply. It has been denied that any violation of the order dated 01.10.2025 had been committed by them. Details of certain actions, including a complaint under Section 156(3) Cr.P.C.

initiated by the petitioner against the respondent, have been given.

8. In the rejoinder, the averments made in the reply have been denied and those made in the contempt petition have been reiterated.

9. I have heard learned counsel for the parties.

10. It has been submitted that CR-4751-2012 was withdrawn on 01.10.2015 on the basis of a settlement arrived at between the parties. Reference has been made to Clause 23 of the settlement, which reads as under:-

“23. That it has further been agreed that the parties shall withdraw all the cases whether civil or criminal pending in different courts against each other and it is also agreed that none of the parties will re-open any of the disposed of cases in view of the present full and final settlement and after full and final payment given by Surinder Kaur and Beerinder Singh Yogi (second party) to Ravinder Singh and Sukhjinder Singh (first party) i.e., after encashment of the said post dated cheques. It is further agreed in the family settlement between the parties that parties shall not initiate any litigation against each other in respect to the properties, bank accounts, moveable and immovable assets. That it has further been agreed that none of the parties shall interfere in the peaceful living of each other and will not interfere in personal and professional business of each other.”

11. A perusal of the aforesaid Clause shows that the parties had agreed to withdraw all cases whether civil or criminal pending in different Court against each other. It was also agreed that none of the parties would re-open any of the disposed cases. It was also agreed that none of the parties would initiate any litigation against each other in respect of the properties, bank accounts, moveable and immovable assets. It was further agreed that none of the parties would interfere in the peaceful living and in personal and professional business of each other.

12. Learned counsel for the petitioners submits that by instituting the Civil Suit; complaint to the Prime Minister Office etc., the respondent has willfully disobeyed the terms and conditions of the settlement and, therefore, has violated the order dated 01.10.2015 passed in CR-4751-2012.

13. Learned counsel for the respondent has submitted that there has been no willful violation and the suit etc., are independent action based upon the subsequent cause(s) of action.

14. I have considered the submissions made by learned counsel for the parties.

15. CR-4751-2012 was withdrawn on 01.10.2015 since a settlement had been arrived at between the parties. Under the circumstances, it is clear that no directions were passed in the said revision petition and the same had simply been withdrawn. First of all, in case of any violation of the terms and conditions of the agreement arrived at between the parties, the parties

would be free to avail remedies as admissible in law and once, the revision petition was withdrawn, institution of a civil suit etc., would not amount to disobedience of the directions issued. Still further, the actions initiated appear to be based upon subsequent cause(s) of action and in a contempt petition, this Court would not go into the question as to whether it would amount to violation of the terms and conditions of agreement arrived at between the parties. The petitioners, if so advised, would be free to avail remedies as shall be admissible in law.

16. In view of the aforementioned facts and circumstances, the instant petition is found to be devoid of any merit and is, accordingly, dismissed.

(VIKRAM AGGARWAL)
JUDGE

16.10.2025
ds

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