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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
% **Date of decision: 22nd December, 2025**

+ CONT.CAS.(CRL) 20/2025
COURT ON ITS OWN MOTIONPetitioner
Through: None

versus

YOGESH POONIARespondent
Through: Mr. Archit Upadhayay with Mr. Piyush
Gautam, Ms. Lakshita Yadav and
Ms. Muskan Aggarwal, Advocates
with contemnors in person.

CORAM:
HON'BLE MR. JUSTICE VIVEK CHAUDHARY
HON'BLE MR. JUSTICE MANOJ JAIN
J U D G M E N T

1. The present petition seeks initiation of 'criminal contempt' against the respondent/contemnors for wilfully disobeying the mandatory directions passed by Supreme Court in *Satender Kumar Antil vs. Central Bureau of Investigation & Anr*: (2022) 10 SCC 51 and *Arnesh Kumar vs. State of Bihar*: (2014) 8 SCC 273, and not adhering to the directives contained in the Standing Order No. 109/2020.
2. Notice was issued to the contemnors, a Sub-Inspector at PS Rajinder Nagar, New Delhi, and pursuant to the above, learned counsel for contemnors is present, with the contemnors.
3. The facts in brief are that on 08.06.2024, on the complaint of one Md. Asalam, FIR was registered under Sections 323/295A/452/427/506/34 IPC and the investigation was assigned to contemnors. It is alleged that during the course of investigation, the contemnors chose to arrest petitioner Nos.1 & 2 on



the ground that they did not have any permanent address in Delhi. They were brought at police station and instead of serving them with any notice under Section 41A Cr.P.C., the contemnor chose to arrest them.

4. Learned counsel for contemnor, at the very outset, submits that contemnor is present and tenders unconditional apology.

5. The reply affidavit of contemnor is already on record in which, *inter alia*, he has mentioned that he had no intention to violate the provisions of law. He also, specifically, admitted lapse on his part. He supplements that it was an inadvertent error and a *bona fide* mistake on his part, solely due to non-availability of permanent addresses of the accused persons.

6. During the course of the hearing today, learned counsel for contemnor reiterates that the contemnor has shown remorse over his actions.

7. Contemnor, who is present in Court, also seems remorseful and reiterates his unconditional apology.

8. Though, ideally speaking, the present Contempt Petition should have been registered as a case of Civil Contempt only, in view of the fact that unconditional apology has been tendered by the Contemnor, which seems to be heartfelt, we accept the same and direct the closure of the proceedings.

(VIVEK CHAUDHARY)
JUDGE

(MANOJ JAIN)
JUDGE

DECEMBER 22, 2025
st/pb