



COCP-944-2026 (O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCP-944-2026 (O&M)

Date of Decision : 05.03.2026

Rakesh Singh

..Petitioner

Versus

Mirdul Nigam and another

..Respondents

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. R.S.Panghal, Advocate, and
Mr. Jaspreet Singh, Advocate,
for the petitioner.

SUDEEPTI SHARMA, J.

1. The present contempt petition has been filed for deliberate and intentional disobedience of order dated 09.09.2025 passed by learned Judicial Magistrate 1st Class, Narnaul, in CRM-250-2025 titled as 'State Vs. Unknown'.

2. Before proceeding further, it would be apposite to reproduce the zimini orders passed by the learned Judicial Magistrate 1st Class, Narnaul, which reads as under:-

*"Present: Sh. Dilawar Singh, APP for the State.
Sh. Sudhir Kumar Yadav, Advocate for
applicant/complainant Rakesh Singh.*

*File again taken up today. Report of
SHO concerned received and perused, as per the
report the police has no objection to release the
total hold amount of Rs.68,20,266/- on superdari
in favour of applicant. Heard.*

*In terms of letter No.5467 dated
18.06.2024 received from the office of Learned
District and Sessions Judge, Narnaul qua the
instructions related to release of defrauded amount*



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in cyber crime cases. Firstly, applicant/complainant is directed to furnish the superdginama in the sum of Rs.68,20,266/- alongwith one surety as well as on furnishing of indemnity bonds equal to the aforesaid amount to the satisfaction of SHO concerned. After furnishing of aforesaid superdginama and indemnity bonds, notice be issued to concerned Bank Manager/s to refund the hold amount in the account of complainant/applicant from the accounts, as details mentioned in the police report.

SHO concerned is directed to co-ordinate with the Bank Managers concerned and make compliance. Copy of this order be also sent to SHO concerned for compliance. Now to come upon 13.10.2025 for awaiting report of SHO concerned, the date already fixed.

Date of Order :09.09.2025 (Gurdeep Kaur)
JMIC, Narnaul.
UID No. HR-0441

Present: Ms. Sushil Kumari, APP for the State.
Sh. Sudhir Kumar Yadav, Advocate for
applicant/complainant Rakesh Singh.

Report of the SHO concerned received and perused, as per the report, the IO of present case prayed some time for submitting complete report as communication with concerned bank under process. Heard. Let, report of concerned IO be awaited for 28.10.2025.

Date of Order :13.10.2025 (Gurdeep Kaur)
JMIC, Narnaul.
UID No. HR-0441

Present: Ms. Sushil Kumari, APP for the State.
Sh. Sudhir Kumar Yadav, Advocate for
applicant/complainant Rakesh Singh.

Report of the SHO concerned received and perused, as per the report, the IO of present



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case prayed some time for submitting complete report as communication with concerned bank under process. Heard. Let, report of concerned IO be awaited for 10.12.2025.

Date of Order :28.10.2025 (Gurdeep Kaur)
JMIC, Narnaul.
UID No. HR-0441

*Present: Ms. Sushil Kumari, APP for the State.
Sh. Sudhir Kumar Yadav, Advocate for
applicant/complainant.*

Report of concerned SHO received. As per said report, IO of present case prayed some time for submitting complete report as communication with concerned bank under process. Heard. Let, report of concerned IO be awaited for 19.02.2026.

Date of Order :10.12.2025 (Gurdeep Kaur)
JMIC, Narnaul.
UID No. HR-0441

*Present: Ms. Sushil Kumari, APP for the State.
Sh. Sudhir Kumar Yadav, Advocate for
applicant/complainant in person.*

File put up before me being Link Magistrate in compliance of order passed by learned District & Sessions Judge, Narnaul, bearing Endst: No.1490-96 dated 16.02.2026, as Ms. Gurdeep Kaur, learned ACJ(SD)-cum-RC-cum-JMIC-cum-PM, JJB, Narnaul has been transferred vide order bearing Endst. No.60 Gaz.I/VI.M.46 dated 13.02.2026, passed by the Hon'ble High Court of Punjab and Haryana, Chandigarh. Report of concerned SHO received. As per said report, concerned bank is not making compliance and a request for issuance of notice to him made. Perused. At this stage an application for making compliance of Court order and initiating contempt proceedings against the



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concerned bank official for willful non-compliance of the Court orders, has been filed on behalf of applicant/complainant. Let, notice of the same be issued to the concerned Bank official for 18.04.2026 with the directions to appear in person in the Court alongwith concerned record pertaining to the said complaint/application.

Date of Order :19.02.2026 (Anurag Yadav)
JMJC, Narnaul.
UID No. HR-0650”

3. A perusal of the file shows that petitioner has reproduced the zimini orders along with the present contempt petition, which shows that the order sought to be complied through the present contempt petition was already under the process for compliance by the concerned judicial officer. The last zimini order dated 19.02.2026 reveals that the contempt notice has been issued to the concerned bank official for 18.04.2026 with the directions to appear in person in the Court along with concerned record.

4. It is pertinent to note that the petitioner had due knowledge that the compliance of the order in question was already under process. Despite having due knowledge of the legal position, the petitioner chose to file present contempt petition. Further bare reading of order shows that no contempt is made out, since there is no violation. Such conduct amounts to gross abuse of the process of law and unnecessarily adds to the burgeoning pendency of cases before this Court.

5. It is well settled that contempt jurisdiction is required to be exercised with great caution and circumspection and only in cases where willful and intentional disobedience of an order of the Court is clearly made



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out. The jurisdiction cannot be invoked to settle scores or to unnecessarily harass officials, particularly when the due process of law is already in motion.

6. Similar matter has already been dealt with by this Court in ***COCP-3579-2025*** decided on 24.07.2025 titled as “***Payal Chaudhary V/s KAP Sinha IAS and others***”, while placing reliance on the judgments passed by Hon’ble Supreme Court in case titled as “***Dalip Singh V/s State of Uttar Pradesh and others (2010) 2 SCC 114, Subrata Roy Sahara V/s Union of India (2014) 8 SCC 470 and K.C. Tharakan V/s State Bank of India & Ors. Passed in Writ Petition (Civil) Diary No(s).27458/2022***”.

The relevant paragraphs of ***Payal Chaudhary (supra)*** are reproduced as under:-

“9. It is evident that the petitioner has engaged in what can only be described as a frivolous and vexatious litigation spree, seemingly driven by a misplaced sense of grievance. Such conduct constitutes a gross abuse of the judicial process and contributes significantly to the burgeoning pendency of cases before this Court. The tendency of litigants to misuse the judicial forum by engaging in forum shopping, filing repetitive and meritless petitions, and adopting dilatory tactics undermines the very foundation of our legal system and clogs the administration of justice.

10. The Hon’ble Supreme Court, in ***Dalip Singh Vs. State of Uttar Pradesh and others (2010) 2 SCC 114***, has cautioned against this emerging category of unscrupulous litigants who, devoid of respect for truth,



resort to falsehood and unethical practices in their pursuit of relief. The Supreme Court emphatically held that such litigants, who seek to pollute the stream of justice or who dare to touch the fountain of justice with unclean hands, are not entitled to any relief, interim or final. Relevant extracts of the same is reproduce as under:-

“In the last 40 years, a new creed of litigants has cropped up. Those who belong to this creed do not have any respect for truth. They shamelessly resort to falsehood and unethical means for achieving their goals. Courts have evolved new principles to curb such abuse, and it is now well established that a litigant who attempts to pollute the stream of justice or touches the pure fountain of justice with tainted hands is not entitled to any relief, interim or final.”

*11. The petitioner’s conduct in instituting frivolous litigation has resulted in a gross misuse of the judicial process, thereby squandering the valuable time and resources of this Court. It is imperative, in the interest of justice, that bona fide and timely claims are adjudicated expeditiously, without being impeded by vexatious and unscrupulous litigation. At this juncture, reference may be made to the pertinent observations of the Hon’ble Supreme Court in **Subrata Roy Sahara v. Union of India (2014) 8 SCC 470**, wherein the Court lamented the pervasive malaise of frivolous litigation afflicting the Indian judicial system. The Hon’ble Apex Court observed as under:-*

“The Indian judicial system is grossly afflicted with frivolous litigation. Ways and means need to be evolved, to deter litigants from their compulsive obsession towards senseless and illconsidered claims. One needs to keep in mind, that in the



process of litigation, there is an innocent sufferer on the other side of every irresponsible and senseless claim. He suffers long drawn anxious periods of nervousness and restlessness, whilst the litigation is pending, without any fault on his part.”

12. *The Hon’ble Supreme Court has consistently emphasized the need to deter frivolous appeals and petitions by imposing exemplary costs on the litigating parties. In Writ Petition (Civil) Diary No(s). 27458/2022 titled as **K.C. Tharakan v. State Bank of India & Ors.** decided on 01.05.2023, the Hon’ble Apex Court held as follows:*

“No legal system can permit a situation wherein a party repeatedly agitates the same issue after it has been conclusively adjudicated by the highest judicial forum. Such conduct amounts to a gross misuse of the judicial process and results in a significant waste of valuable judicial time. Accordingly, the present writ petition is dismissed with costs. However, taking into consideration that the petitioner is a dismissed employee, we deem it appropriate to impose a nominal cost. The writ petition is, therefore, dismissed with costs quantified at ₹10,000/-, to be deposited with the Supreme Court Advocates-on-Record Welfare Fund, to be utilized for the benefit of the SCBA Library.”

7. The aforesaid judgments clearly emphasize that frivolous and vexatious litigation must be curbed with a firm hand. The repeated filing of meritless petitions not only results in wastage of precious judicial time but also causes unnecessary harassment to public officials who are constrained to defend themselves despite having acted in accordance with law.

8. Accordingly, the present contempt petition is hereby **dismissed** with costs of **Rs.50,000/-** (Rupees Fifty Thousand only). The said amount shall be deposited by the petitioner with the Treasury of Bar Association, Punjab and Haryana High Court, Chandigarh.
9. In the event of default in compliance, the amount shall be recovered from the petitioner as arrears of land revenue by the competent authority.
10. Pending miscellaneous applications, if any, are also disposed of.

05.03.2026

Virender

(SUDEEPTI SHARMA)
JUDGE

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