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

COCP-1400-2021 (O&M)

Date of decision: 28.04.2026

Sakshi Gupta

...Petitioner

Versus

Ankur Gupta

...Respondent

**CORAM: HON'BLE MR. JUSTICE VIKAS BAHL**

Present: Mr. Simarpal Singh Sawhney, Advocate and  
Mr. Rahul Makkar, Advocate for the petitioner.

Mr. Nitin, Advocate (Through VC) and  
Mr. Ankur Gupta, Respondent (Through VC)

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**VIKAS BAHL, J. (ORAL)**

1. This is a Contempt Petition filed under Sections 10, 11 & 12 of the Contempt of Courts Act, 1971 for initiation of contempt proceedings against the respondent for non-compliance of judgment dated 17.03.2020 passed by the Principal District Judge, Family Court, Gurugram in Petition No.138 of 2019 preferred under Section 125 of the Code of Criminal Procedure, 1973, Criminal Revision [CRR(F)-635/2005] against which judgment was dismissed by the Coordinate Bench of this Court vide order dated 24.09.2025.

2. This Court vide a detailed order dated 27.01.2026, after



considering each and every aspect, had framed charges under the Contempt of Courts Act, 1971 against the respondent. The detailed order dated 27.01.2026 is reproduced herein below: -

*“1. Present contempt petition has been filed under Sections 10, 11 and 12 of the Contempt of Courts Act, 1971 for taking action against the respondent for non-compliance of the judgment dated 17.03.2020 passed by the Principal District Judge, Family Court, Gurugram.*

*2. Petitioner-wife has approached this Court by instituting the present contempt petition stating that the respondent-husband has not complied with the judgment dated 17.03.2020 (Annexure P-1). It is not in dispute that the petitioner had filed a petition under Section 125 Cr.P.C. against the respondent on 01.07.2019 and the Principal District Judge, Family Court, Gurugram vide ex-parte order dated 17.03.2020 was pleased to allow the said petition in the following terms: -*

*“9. Since the respondent is working in Polish Company, it can be safely presumed that his income must have increased from 1,55,000/- (8500 PLN). However, in the absence of any exact amount, for the purpose of disposing of the present petition, **the income of the respondent is being taken between ₹2 lakhs to ₹2.5 lakhs.** Therefore, being legally wedded wife of the respondent, she is found entitled to maintenance to the tune of **₹50,000/- per month from the respondent in order to meet her reasonable expenses including rent. This amount shall be payable by the respondent from the date of filing of the present petition i.e. 01.07.2019.** However, maintenance of ₹50,000/- shall be payable only till the petitioner starts earning or till 3 years from the date of this*



*order, whichever is earlier, whereafter the maintenance amount shall be reduced to ₹25,000/- per month.*

*10 In view of above discussion, this petition is allowed with costs. It is made clear that the petitioner shall be entitled to claim maintenance, as indicated above, only under any one proceeding. **The amount of maintenance be paid or deposited in the bank account of the petitioner, on or before 10th of every English calendar month.** The petitioner shall furnish the details of the bank account, where she wants the maintenance amount to be deposited. Memo of costs be prepared. File be consigned to the record room.*

*Pronounced in open court. (Vani Gopal Sharma)*

*Dated: 17.03.2020. Principal District Judge,*

*Family Court, Gurugram.*

*(UID No.HR0073)”*

*A perusal of the above order would show that the Family Court, Gurugram had taken into consideration the fact that the respondent was working in a Polish Company and his income was assessed between Rs.2,00,000/- to Rs.2,50,000/- per month and it was observed that the present petitioner was entitled to maintenance from the date of filing of the petition i.e. 01.07.2019.*

*3. CM-19075-CII-2025 has been filed on behalf of the petitioner for placing on record additional documents including the order dated 08.02.2024 (Annexure P-10) passed by the Principal Judge, Family Court, Gurugram. A perusal of the **order dated 08.02.2024** would show that the respondent had filed an application for setting aside the ex-parte order dated 17.03.2020 on 14.10.2021, which application was dismissed. The relevant portion of the said **order dated 08.02.2024** is*



*reproduced herein below: -*

**“In the Court of Virender Malik (UID No. HR-0101). Principal Judge, Family Court, Gurugram**

*Computer IS No. APP/135/2021*

*CNR No. HRGR01-015250-2021*

*Application No. 107*

*Date of Instt: 14.10.2021*

***Date of Decision: 8.2.2024.***

*Ankur aged 34 years son of Sh. Anil Kumar Gupta resident of 5/21, Momvati Gali, Farrukhabad U.P*

*.....petitioner*

*Versus*

*Sakshi Gupta aged 29 years daughter of Sh. Arun Gupta, resident of House No. 943, Sector 23-A, Gurugram.*

*.....respondent*

***Application for Setting aside the exparte judgment and dated 17.03.2020***

***Present when argued:***

*Shri Paras Yadav and Parshant Yadav Advocates for the petitioner Ankur.*

*(respondent in main case file titled as Sakshi Gupta Vs. Ankur Gupta in petition under section 125 Cr.P.C)*

*Shri Saurabh Kaushik, Advocate for respondent Sakshi.*

*(petitioner in main case fi titled as Sakshi Gupta Vs. Ankur Gupta in petition under section 125 Cr.P.C.*

xxx xxx xxx



***8. It has also come into evidence that bail bonds and surety bonds were furnished by petitioner Ankur Gupta on 29.7.2019. In the said bail bonds, the applicant had mentioned the same address which has been mentioned by respondent in the petition under Section 125 Cr.P.C. The order dated 14.11.2019 also made it clear that during the hearing of the case, learned counsel for petitioner had also undertaken to appear in the court in the maintenance proceedings. The said order was passed on 14.11.2019. However, later on neither the petitioner nor his counsel had appeared on behalf of petitioner in the petition under Section 125 Cr.P.C. On 14.11.2019, also it had come into notice of the petitioner and his counsel that petition under Section 125 Cr.P.C has already been filed and pending before the Family Court, Gurugram but the petitioner had not bothered to appear in the court and later on exparte judgment dated 17.3.2020 was passed.***

***9. The above facts made it clear that applicant had intentionally chosen not to appear before the proceedings under Section 125 Cr.P.C despite the fact that he was having knowledge about the pendency of the said petition under Section 125 Cr.P.C. The registered notice sent at the address of petitioner received back with the report of refusal. This fact also made it clear that it was the petitioner who wants to avoid the proceedings of the case. Even the petitioner has not placed on record any document on the record that on 16.9.2019, when he was proceeded against exparte, he was not present at his house and was residing at Polland. As per Section 126 (1) Cr.P.C, the order of setting aside the exparte judgment and decree can***



*be set aside if any good cause shown for setting aside the exparte order. However, the petitioner fails to prove that he was not having any knowledge about the pendency of the said petition under Section 125 Cr.P.C. The petitioner had intentionally avoided the service. Now he cannot claim that he has no knowledge about the proceedings under Section 125 Cr.P.C.*

*10. Keeping in view the above facts no case is made out to set aside exparte judgment and decree dated 17.3.2020, therefore, the application filed by the petitioner stands dismissed. The application be tagged along with the main petition and consigned to records.*

*Pronounced in open court (Virender Malik)  
08.2.2024 Principal Judge, Family Court,  
Gurugram. (UID No.HR-0101)”*

*4. The passing of the said order has not been disputed before this Court. It has been pointed out that the respondent-Ankur Gupta had also filed a criminal petition bearing no.CRR(F)-635-2025, in which challenge was made to the order dated 17.03.2020, and the Co-ordinate Bench of this Court vide order dated 24.09.2025 was pleased to dismiss the said petition. The relevant portion of the said order dated 24.09.2025 is reproduced herein below: -*

*“1. The present application has been filed under Section 5 of the Limitation Act read with Section 528 of BNSS for condonation of delay of 703 days in filing of the revision petition.*

*2. Learned counsel for the applicant/petitioner submits that there is a delay of 703 days in filing the present revision petition, citing the ground that petitioner was never served in the petition under Section 125 Cr.P.C. and*



*an ex-parte judgment was passed on 17.03.2020. The respondent filed divorce petition against the applicant-petitioner, which was granted vide judgment dated 30.10.2023 after that counsel of the applicant-petitioner told him that since divorce has been granted, as such he is not liable to make any payment towards maintenance to the respondent. **Thereafter, the learned trial Court issued conditional warrants against the applicant-petitioner, for non-payment of arrears of maintenance**, then he came to know about the impugned order and immediately approached the Hon'ble Court through filing the instant petition. The delay of 703 days is neither intentional nor deliberate.*

*3. I have heard the learned counsel for the applicant/petitioner.*

*4. The grounds which have been taken in the application for seeking condonation of delay are reproduced as under:-*

*"1. That the present petitioner has filed the accompanying petition in this Hon'ble High Court which is likely to succeed as per the ground taken therein.*

*2. **That the above mentioned revision petition has been filed against the impugned judgment dated 17.03.2020.** The present petitioner was never served any notice in petition U/s 125 Cr.P.C. and the same was decided and the final ex-parte judgment was passed on 17.03.2020.*

*3. That the respondent/ wife had filed an application U/s 13(1)(ia) and (ib) of HMA, 1955 for dissolution of marriage before the Ld. Trial Court at*



*Dwarka and accordingly the petition filed by the respondent/ wife was allowed and divorce was granted vide order dated 30.10.2023 and after the grant of the divorce the petitioner/husband was told by the counsel before the Ld. Trial Court that since divorce has already been granted, therefore the petitioner is not liable to make any payment towards the maintenance of the respondent/ wife and **it is now when the Ld. Trial Court issued conditional warrants qua the petitioner/ husband for non payment of the arrears of ₹23,25,000/-.***

4. *That the delay of 703 days in filing the revision petition has occurred due to the reasons explained above which are neither intentional nor deliberate but due to the above explained reasons.*

5. *That no such or similar application/revision petition has earlier been filed by the applicant/petitioner either in this Hon'ble High Court or in the Hon'ble Supreme Court of India."*

5. *The aforesaid delay of 703 days in filing of the present revision petition is an inordinate delay, and the ground taken by the applicant-petitioner does not suffice to condone the same. Consequently, the present application seeking condonation of delay in filing revision petition is hereby dismissed.*

6. ***Since the application for condonation of delay is dismissed, the revision petition also stands dismissed.***

7. *Pending miscellaneous application(s), if any, also stands disposed of.*

*24.09.2025"*

*A perusal of the above order would show that the*





*respondent had averred in his application for condonation of delay that the trial Court had issued conditional warrants against him for non-payment of the arrears of Rs.23,25,000/- and thus, the respondent was aware of the arrears due against him.*

*5. Further from the above, it is apparent, which fact has not been disputed before this Court, that neither the order dated 17.03.2020 has been set aside nor there is any stay with respect to the execution of the said order.*

*6. Since the respondent had not complied with the order dated 17.03.2020 and had not paid the maintenance, the petitioner-wife filed the present contempt petition. On 16.07.2021, a Co-ordinate Bench of this Court was pleased to issue notice to the respondent to show cause as to why the proceedings under the Contempt of Courts Act, 1971 be not initiated against him. The respondent through counsel had appeared on 09.05.2023 and the case was adjourned to 12.09.2023. On 12.09.2023, since, neither the respondent nor his counsel had appeared, thus, the respondent was directed to remain present in person before the Court on the next date of hearing. On 23.07.2025, the respondent had not appeared in person in spite of an earlier order but since counsel for the respondent had assured the Court that the respondent would appear in person on the next date of hearing, thus, the matter was adjourned to 18.09.2025. On 08.10.2025, counsel for the petitioner had submitted that an amount of Rs.27,50,000/- was due to the petitioner in pursuance of the order dated 17.03.2020 and the respondent was directed to appear in person on the next date i.e. 30.10.2025. The respondent however did not appear in person on 30.10.2025. On 17.11.2025, the counsel for the respondent prayed for one last adjournment for paying the*



*amount due and the respondent was directed to be present in person on the next date of hearing. Again on 22.12.2025, the respondent was directed to be present in person on the next date of hearing and was also directed to submit photocopy of his Indian as well as European passports. In spite of the same, the respondent neither appeared in person nor submitted the photocopy of his passports and his counsel sought an adjournment. The order dated 16.07.2021 passed by the Co-ordinate Bench of this Court, order dated 12.09.2023 passed by the Co-ordinate Bench of this Court, order dated 23.07.2025 passed by the Co-ordinate Bench of this Court, order dated 08.10.2025 passed by this Court, order dated 17.11.2025 passed by this Court, order dated 22.12.2025 passed by this Court, are reproduced herein below: -*

*“Present :Mr.Simarpal Sawhney, Advocate for the petitioner.*

**\*\*\***

*Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.*

***Learned counsel contends that despite orders dated 17.03.2020, passed by the learned Principal District Judge, Family Court, Gurugram awarding maintenance of Rs.50,000/- to the petitioner w.e.f. 01.07.2019, not a single penny has been paid, till date, therefore, the respondent is liable to be proceeded against under the Contempt of Courts Act, 1971.***

***Issue notice to the respondent returnable by 16.09.2021 to show cause as to why proceedings under the Contempt of Courts Act, 1971 be not initiated against him.***

***16.07.2021”***



*“Present : Mr. Amandeep Singh, Advocate  
for the petitioner.*

***None for the respondent.***

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*List again on 10.01.2024.*

***The respondent is directed to remain present in  
person before this Court on the next date of hearing.***

***12.09.2023”***

*“Present: Mr. Amandeep Singh Talwar, Advocate  
for the petitioner.*

*Mr. Manish Dhankar, Advocate  
for the respondent.*

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***Today, learned counsel for the respondent puts in  
appearance on behalf of the respondent and assures that  
the respondent shall remain present in person on the next  
date of hearing as ordered on 12.09.2023.***

*List on 18.09.2025.*

*Be shown in the urgent list, henceforth.*

***23.07.2025”***

*“Present : Mr. S. S. Sawhney, Advocate for the petitioner.  
Mr. Punit Malik, Advocate for the respondent.*

\* \* \* \*

***Learned counsel for the petitioner has submitted  
that an amount of ₹27,50,000/- is due to the petitioner in  
pursuance of the order dated 17.03.2020 (Annexure P-1)  
passed by the Principal District Judge, Family Court,  
Gurugram. He prays for short adjournment to get***



*instructions regarding the same.*

*Adjourned to 30.10.2025.*

***The respondent is directed to appear in person before this court on the next date of hearing.***

***8th October, 2025”***

*“Present: Mr. Simarpal Singh Sawhney, Advocate (through V.C.) and Mr. Rahul Makkar, Advocate for the petitioner.*

*Mr. D.K. Singh, Advocate (through V.C.) and Mr. Nitin, Advocate for the respondent*

*Ms. Urmila Gupta, mother of respondent (through V.C.).*

***Learned counsel for the respondent prays for one last adjournment for paying the amount.***

***Adjourned to 15.12.2025.***

***It is made clear that in case on the next date of hearing also, the amount is not paid, then appropriate action in accordance with law will be taken against the respondent.***

***Respondent is directed to appear in person on the next date of hearing.***

***November 17th, 2025”***

*“Present:- Mr. Simarpal Singh Sawhney, Advocate, (Through VC) and Mr. Rahul Makkar, Advocate for the petitioner.*

*Mr. Ramesh Srivastava, Advocate, (Through VC), and Mr. Nitin, Advocate, for the respondent.*

*Mr. Ankur Gupta, respondent (Through VC).*



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***Learned counsel for the respondent has sought one last opportunity to get instructions in the matter.***

***Adjourned to 13.01.2026.***

***The respondent is directed to be present in person on the next date of hearing.***

***The respondent is also directed to submit the photocopy of Indian as well as the European passports.***

***To be taken up at 12:00 noon.***

***December 22, 2025”***

7. From the above orders, it is apparent that there was repeated non-compliance of the directions passed by this Court. The respondent had not paid any maintenance in spite of the order dated 17.03.2020 having been upheld vide order dated 24.09.2025. Even an application moved under Order 9 Rule 13 CPC for setting aside the ex-parte order was dismissed. On 13.01.2026 when this Court was about to proceed in the contempt petition, it was stated by the learned counsel for the respondent that the respondent would pay an amount of Rs.3,00,000/- within a period of one week from 13.01.2026 and would also pay the balance amount. Accordingly, the order dated 13.01.2026 was passed, which is reproduced herein below:

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***“Present:- Mr. Simarpal Singh Sawhney, Advocate,  
(Through VC) and Mr. Rahul Makkar,  
Advocate for the petitioner.  
Mr. Nitin, Advocate, (Through VC)  
for the respondent.***

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***Learned counsel appearing for the respondent has submitted that the respondent would pay an amount of***



*Rs.3,00,000/- within a period of one week from today and would also pay the balance amount.*

*Adjourned to 27.01.2026.*

*As undertaken before this Court, the respondent is directed to bring a demand draft of Rs.3,00,000/- in the name of the petitioner/Sakshi Gupta on the next date of hearing. The respondent is also directed to submit the photocopy of the Indian as well as the European passports.*

*To be taken up at 12:00 noon.*

***January 13, 2026”***

8. *On 27.01.2026 when the case came up for hearing, it was noticed that the respondent had filed an application bearing no.CM-1028-CII-2026, which was for correction and modification of the order dated 13.01.2026. Para 5 of the said application is reproduced herein below: -*

*“5. That the Counsel was on VC from an area where network connectivity was not proper and due to voice distortion inadvertently that this Hon'ble court recorded “respondent has submitted that the respondent would pay an amount of Rs.300,000/- (three lakh rupees) within a period of one week from today and would be pay balance”.*

9. *From the above, it is apparent that the respondent was trying to back track from the statement made on his behalf on 13.01.2026, although on account of the said statement the case was adjourned on 13.01.2026 for 27.01.2026. Moreover, as per the case of the petitioner, an amount of more than Rs.27,50,000/- is due, which the respondent is not willing to pay. It would also be relevant to note that learned counsel for the respondent had stated there was some problem with the video conferencing when the matter was taken up on 27.01.2026 at 12:00 noon and had*



*thus requested that the matter be taken up later in the day and accordingly, this case was taken up at 03:45 PM again.*

*10. Learned counsel for the respondent to oppose the contempt petition has referred to the evidence of Sakshi Gupta (PW-1), which has been annexed by the respondent as Annexure A-6 along with application bearing no.CM-1028-CII-2026 to argue that the order dated 17.03.2020 deserves to be modified in the light of the above evidence. It is submitted that the said evidence was recorded in the divorce petition filed by the petitioner on 13.02.2023. It is further submitted that an application under Section 127 Cr.P.C. for modification of the order dated 17.03.2020 has been filed on 20.12.2025 and the same is pending. It is submitted that in view of the same, the present contempt proceedings be dismissed.*

*11. Learned counsel for the respondent has also argued that as per the statement of defence, it has been stated that the respondent was wrongly proceeded against ex-parte in the proceedings which culminated into the order dated 17.03.2020 and for the said reason also the present contempt petition should be dropped.*

*12. This Court has considered the submissions made on behalf of the respondent for dropping the contempt petition and is of the opinion that all the said arguments are meritless and deserve to be rejected.*

***13. It is not in dispute that for setting aside the ex-parte order dated 17.03.2020, the petitioner had filed an application and the said application was dismissed on 08.02.2024. The relevant part of the said order has already been reproduced in the earlier part of the present order. Further, even the criminal revision filed against the order dated 17.03.2020 has been dismissed by a Co-ordinate Bench of this Court vide order***



*dated 24.09.2025. In the said circumstances, it is not open to the petitioner to agitate that the ex-parte proceedings against the respondent are not in accordance with law. Reliance sought to be placed upon the pendency of the application under Section 127 Cr.P.C., which is stated to have been instituted on 20.12.2025, would also not call for dropping of the present proceedings as admittedly neither there is any interim order in the said proceedings nor the order dated 17.03.2020 has been modified. In fact the order dated 17.03.2020 which required the petitioner to pay maintenance w.e.f. 01.07.2019 has been in operation till date and as per the said order, an amount of more than Rs.27,50,000/- is due as on date. The evidence of Sakshi Gupta which has been referred to by the respondent is not in the proceedings under Section 125 Cr.P.C. and has been recorded in the divorce proceedings filed by the petitioner and was recorded on 13.02.2023 much after the passing of the order dated 17.03.2020. The evidence given by PW-1 in the said proceedings would not nullify the observations made in the order dated 17.03.2020 as the said order has neither been set aside nor has been modified.*

*14. From the above-said facts, it is apparent that the respondent has not complied with the order dated 17.03.2020 passed by the Family Court, Gurugram in spite of several opportunities having been given to the respondent. Every effort has been made by the respondent to delay the proceedings. Although on certain dates the respondent who is stated to be abroad had appeared through video conferencing but **had not appeared in person in spite of specific orders and has not submitted the photocopy of his Indian and European passports in spite of specific orders. This Court is of the prima facie view that the said act of the respondent tends to substantially***





***interfere with the due course of justice. Section 10 of the Contempt of Courts Act, 1971 empowers the High Court to punish contemnors with respect to the orders passed by the subordinate Courts also. Further, Section 11 of the 1971 Act empowers the High Court to enquire into or try a contempt of itself or of any Court subordinate to it even in case the person who is alleged to be guilty of contempt is outside its jurisdiction. The respondent is liable to be proceeded against under the provisions of Sections 10 and 12 of the Contempt of Courts Act, 1971 (hereinafter referred to as “1971 Act”). Accordingly, charges under Sections 10 and 12 of the 1971 Act are framed against the respondent.***

***15. List on 10.03.2026.***

***16. The respondent is directed to be present in person in the Court on the next date of hearing for further proceedings.***

***17. The respondent is also directed to produce his passports both Indian and European on the next date of hearing.***

***January 27, 2026”***

3. Thereafter, vide order dated 23.03.2026, after taking into consideration the detailed order dated 27.01.2026 wherein charges had been framed against the respondent under the Contempt of Courts Act, 1971, this Court had held the respondent guilty under the Contempt of Courts Act, 1971. Relevant portion of the order dated 23.03.2026 is reproduced hereinbelow:-

***“3. On 10.03.2026, the respondent did not appear nor he had produced his passports either Indian or European. An adjournment slip was filed by the counsel for the respondent on the ground that he is busy till 11.03.2026,***



*which adjournment was opposed by the learned counsel for the petitioner. However, in the interest of justice, the matter was adjourned to 23.03.2026 and the respondent was directed to be present in person in the Court on the next date of hearing for further proceedings and was further directed to produce his passports both Indian and European on the next date of hearing i.e. today.*

**4. *Even today, the respondent has not produced his passports either Indian or European. The respondent has appeared through video conferencing but has still chosen not to comply with the judgment dated 17.03.2020 nor has responded to the charges framed against him. The act and conduct of the respondent which had been detailed in the order dated 27.01.2026 would clearly show that the respondent is guilty under the Contempt of Courts Act, 1971. Accordingly, the respondent is held guilty under the Contempt of Courts Act, 1971.***

**5. *Though in view of the law laid down by the Hon'ble Supreme Court in the case of “Suo-Motu Contempt Petition (Civil) No.3 of 2021 in reference : Perry Kansagra dated 11.07.2022”, the present proceedings could have been taken to logical conclusion and order of sentence could have been awarded today, however, as was done in the said case, this Court gives a final opportunity to the respondent to present himself before this Court on 28.04.2026 at 1:45 P.M. along with the copy of his Indian as well as European passports and also grants him an opportunity to advance submissions on the aspect of punishment to be awarded to him. In case the respondent makes the entire payment and complies with the order dated 17.03.2020 in its entirety,***



***then, a sympathetic view may be taken in the matter.***

***6. List on 28.04.2026.***

***7. To be taken up at 1:45 P.M.***

***March 23, 2026”***

4. A perusal of the above two orders would show that every aspect of the matter had been considered including the fact that the order dated 17.03.2020 was an ex-parte order and that the respondent had filed an application for setting aside the said ex-parte order, which application was dismissed on 08.02.2024 and had even filed a criminal revision against the order dated 17.03.2020, which had been dismissed by the Coordinate Bench of this Court vide order dated 24.09.2025. The aspect of the petitioner having filed an application under Section 127 of Cr.P.C. which was instituted on 20.12.2025 in which there was no interim order nor order dated 17.03.2020 has been modified was also taken into consideration before framing the charges against the respondent.

5. Repeated directions have been given to the respondent to appear in person in the Court and also to produce his passports both Indian and European but in spite of repeated orders, the respondent has neither chosen to appear in person before this Court nor has produced the copy of his Indian and European Passports and has even now chosen to file a lengthy application in which only photocopy of first page of Indian Passport has been filed and has thus, even now not complied with the orders, including the order holding the respondent



guilty under the Contempt of Courts Act, 1971. In the said order dated 23.03.2026, it was specifically observed that in case the respondent makes the entire payment and complies with the order dated 17.03.2020 in its entirety, then, a sympathetic view would be taken, however, the respondent has chosen not to make the said payment nor has stated that he is ready to make the payment which is still due from him as per the order dated 17.03.2020. No point/ground has been highlighted before this Court in order to take a lenient view in the matter, rather an application i.e., CM-8793-CII-2026 has been filed, as per which, the respondent is apparently wanting to re-argue the entire matter which has already been heard at length by this Court before holding the respondent guilty under the Contempt of Courts Act. No law has been cited before this Court to show that at the stage of considering the case with respect to punishment to be awarded after having convicted the respondent-contemnor, it is open to the respondent-contemnor to re-agitate the case on merits. Neither the order dated 27.01.2026 has been complied with nor repeated orders passed by this Court requiring the respondent to appear in person and submit the copy of both his Indian and European Passports has been complied with nor the respondent has expressed remorse before this Court.

6. From the act and conduct of the respondent, it is apparent that the respondent has no regard for the orders passed by the Family



Court as well as by this Court. Every effort has been made by the respondent to delay the present proceedings and also to avoid physical appearance before this Court. In the said circumstances, this Court is convinced that simple imposition of fine would not meet the ends of justice and sentence of imprisonment is necessary. Accordingly, the present contempt petition is allowed with the following directions:-

- i) The respondent-contemnor is held guilty of willful disobedience of the order dated 17.03.2020, Criminal Revision [CRR(F)-635/2005] against which judgment was dismissed by the Coordinate Bench of this Court vide order dated 24.09.2025 and subsequent orders passed by this Court which have been detailed hereinabove in the present contempt proceedings.
- ii) The contemnor-respondent is punished with simple imprisonment for a term of four months for Civil Contempt of Court and also is liable to pay a fine of Rs.2000/-, in default of which he shall further undergo simple imprisonment for one month.
- iii) This Court also directs the Ministry of Home Affairs, Government of India to secure the presence of the respondent-contemnor to undergo imprisonment imposed upon him. Government of India including the Ministry of External Affairs and other agencies or instrumentalities shall carry out the directions issued by the Court as expeditiously as possible.



iv) Registry of this Court is directed to forward the photocopy of the first page of the passport which has been annexed as Annexure A-2 along with the application bearing No.CM-8793-CII-2026 to the Ministry of Home Affairs as well as the Ministry of External Affairs for further necessary action.

7. All the pending miscellaneous applications, if any, shall stand disposed of in view of the abovesaid order.

**28.04.2026**

*Pawan*

**(VIKAS BAHL)**  
**JUDGE**

**Whether speaking/reasoned:-**

**Yes/No**

**Whether reportable:-**

**Yes/No**