

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

**DATE OF DECISION: OCTOBER 06, 2014**

**Sukhwinder Pal Singh**

.....Petitioner

VERSUS

**Sumadh Sood**

....Respondent

**CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH**

Present: None for the petitioner.

Mr. S. S. Majithia, Advocate &  
Mr. Anant Kataria, AAG, Punjab,  
for the respondent.

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**AUGUSTINE GEORGE MASIH, J. (ORAL)**

None has put in appearance on behalf of the petitioner despite the case having been called for second time.

On 02.09.2014 also, when the case was taken up for hearing, none had appeared for the petitioner.

An affidavit dated 06.10.2014 has been filed by Sumit Sood, Station House Officer, Police Station Division No.4, Jalandhar-respondent, according to which the petitioner had earlier obtained an order dated 14.01.2014 in Criminal Misc. M No.43250 of 2013 (Sukhwinder Pal Singh Vs. State of Punjab and others) by misleading the Court and not informing the fact that challan had already been presented on 24.05.2013 in case FIR

No.205, dated 29.12.2011, Police Station Division No.4, Jalandhar, which is almost six months prior to the filing of the petition. The said affidavit is taken on record.

In the present contempt petition also, this fact is not mentioned and again the petition has been filed, pointing out that orders dated 14.01.2014 have not been complied with. Counsel for the respondent, on the basis of these averments, contends that the contempt petition deserves to be dismissed.

This contention of counsel for the respondent appears to be correct as the order dated 14.01.2014 indicates that the petitioner had obtained the said order by misleading the Court. The said order reads as under:-

*“Counsel for the petitioner states that despite registration of the FIR No.205 under Sections 420, 467, 468, 471, 120-B IPC, P.S.Division No.4, Jalandhar as back as on 29.12.2011, nothing has been done despite representation made to the DGP, Punjab (Annexure P-2).*

*Counsel for the petitioner confines his request only for expeditious investigations to be conducted by the police, for submission of the report.*

*In this view of the matter, the petition is disposed of with a direction to respondent NO.5 to investigate the case expeditiously and submit the report within three months before the Illaqa/Duty Magistrate from the date of receipt of certified copy of this order.”*

Since the challan has already been presented in the Court on 24.05.2013, direction, as has been obtained by the petitioner, cannot be said to be a bonafide approach to this Court for redressal of a grievance, which was not there. This explains the absence of counsel for the petitioner today as also on 02.09.2014.

The contempt petition, thus, being devoid of any merit, stands dismissed.

**October 06, 2014**  
**khurmi**

**( AUGUSTINE GEORGE MASIH )**  
**JUDGE**