



COCP-3224-2025 (O&M)

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

**COCP-3224-2025 (O&M)
Date of decision : 28.07.2025**

Rajender Taneja

...Petitioner

Versus

Rajeev Arora and others

...Respondents

CORAM: HON'BLE MS. JUSTICE HARPREET KAUR JEEWAN

Present: Ms. Kashish Sahni, Advocate/Amicus Curiae.

Petitioner in person (through Video Conference).

HARPREET KAUR JEEWAN, J. (Oral)

1. The petitioner has filed this Contempt Petition under Section 10 read with Section 2(b) of the Contempt of Courts Act, 1971 (for short, 'the Act') for taking action against the respondents for giving no reply to the application filed under Section 340 of the Code of Criminal Procedure, 1973 (*for short, 'the Cr.P.C.'*) titled as **Rajender Taneja Vs. Aditya Bhardwaj and others**, pending before the Family Court, Kurukshetra.

2. Learned *Amicus curiae* has pointed out that Smt. Vijaya, wife of the petitioner, filed a petition under Section 125 Cr.P.C. before the Family Court, Kurukshetra. During the pendency of the said proceedings, the petitioner moved an application against the respondents for taking action under Section 340 Cr.P.C. The *Amicus curiae* has very fairly pointed out that the respondents in the present petition were neither the respondents in the petition under Section 125



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Cr.P.C., nor the petitioner has impleaded his wife as a respondent in the application under Section 340 Cr.P.C. The wife of the petitioner with whom the litigation is going on, is also not a respondent in the present petition.

3. While referring to the provisions of Rule 9 of the Contempt of Court (Punjab and Haryana) Rules, 1974 (*for short, 'the Rules'*), learned *Amicus curiae* has pointed out that in the case of a civil contempt other than the contempt referred to under Section 14, the High Court can take action on its own motion, or on a petition preferred by the party aggrieved or in case of any civil contempt reference has been made to this Court by a subordinate Court.

4. It is informed by learned *Amicus curiae* that the petition under Section 125 Cr.P.C. is still pending before the Family Court.

5. I have considered the submissions and perused the paper-book.

6. The proceedings under Section 125 Cr.P.C. are still pending adjudication before the Family Court. Moreover, the veracity or correctness of the evidence referred to by the petitioner in the application under Section 340 Cr.P.C. cannot be adjudicated in the present petition. There is no final adjudication regarding the correctness of the allegations contained in the application under Section 340 Cr.P.C. Rule 9 of the Rules reads as under:-

"9. In the case of a civil contempt other than a contempt referred to in section 14, the High Court may take action

(a) on its own motion; or

(b) on a petition presented by the party aggrieved; or

(c) in the case of any civil contempt of a subordinate court, on reference made to it by that Court."



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In view of facts and circumstances on record, no ground is made out for initiating proceedings against the respondents.

7. Consequently, present petition is dismissed.
8. A sum of Rs.4,000/- (Rupees four thousand only) be paid to the *Amicus curiae* by the Haryana State Legal Services Authority.
9. Pending miscellaneous applications, if any, shall stand disposed of.

28.07.2025

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**[HARPREET KAUR JEEWAN]
JUDGE**

Whether speaking / reasoned :

Yes

No

Whether Reportable :

Yes

No