



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

217

COCP-4145-2024 (O&M)

Date of Decision: 02.09.2025

Hardik Ahluwalia

.....Petitioner

Vs.

Gaurav Yadav, IPS and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. Hardik Ahluwalia, Advocate
petitioner-in-person.

Mr. Jaivir S. Chandail, Advocate (through VC)
for respondent No.3-UT Chandigarh.

Mr. Ravneet Singh Joshi, DAG, Punjab

Mr. Harish Nain, AAG, Haryana

SUDEEPTI SHARMA J. (Oral)

1. The present contempt petition has been filed for alleges willful disobedience of the judgment rendered by the Division Bench of this Court in CWP-6213-2016, decided on 22.07.2019.

2. The petitioner, appearing in person, contends that notwithstanding the said judgment, songs glorifying violence, drugs and liquor continue to be played at marriage functions, clubs, discotheques and public events, and that such content remains readily available on online platforms like YouTube, Apple Music, JioSaavn, Wynk Music and Spotify.



3. I have heard the petitioner-in-person and, with his able assistance, carefully perused the case file.

4. Before proceeding further, it is apposite to reproduce the relevant mandatory directions issued by the Division Bench in CWP-6213-2016. The relevant portion is reproduced as under:-

“28. Accordingly, the writ petitions are disposed of with the following mandatory directions:-

i) The States of Punjab, Haryana and Union Territory, Chandigarh are directed to ensure that no loudspeaker or public address system shall be used by any person including religious bodies in Temples, Mosques and Gurudwaras without written permission of the authority even during day time, that too, by getting an undertaking that the noise level shall not exceed more than 10dB(A) peripheral noise level.

ii) The States of Punjab, Haryana and Union Territory, Chandigarh are directed to ensure that the loudspeaker, public address system, musical instrument and sound amplifier are not played during night time except in auditoria, conference rooms, community halls, banquet halls as per norms laid down under the Noise Pollution (Regulation and Control) Rules, 2000.

iii) The States of Punjab, Haryana and Union Territory, Chandigarh are directed to ensure that loud speakers or public address systems are not used between 10.00 p.m. to 6.00 a.m., except between 10.00 p.m. to 12.00 midnight during any cultural or religious festive occasion of a limited duration not exceeding 15 days in all during a calendar year, that too, the noise level shall not exceed 10dB(A) above the ambient noise standards for the area. The peripheral noise level of a privately owned sound system or a sound producing instrument shall not, at the boundary of the private place, exceed by more than 5dB (A). The authority concerned shall keep on visiting and monitoring at the public places, private places, auditoriums,



conference rooms, community halls, banquet halls, temples, mosques and Gurudwaras to ensure due compliance of the Rules.

iv) We direct all the Senior Superintendents of Police/ Superintendents of Police in the States of Punjab, Haryana and Union Territory, Chandigarh to ensure that no horn shall be blown in silence zone or during the night time between 10.00 p.m. to 06.00 a.m. in residential areas except during public emergency. No sound emitting construction equipments shall be used or operated during the night time between 10.00 p.m. to 06.00 a.m. in residential areas or silence zone. m. The pressure horns are banned throughout the States of Punjab, Haryana and Union Territory, Chandigarh. The violators of the Rules be penalized under the Rule 6 of the Noise Pollution (Regulation and Control) Rules, 2000.

v) All the Senior Superintendents of Police/ Superintendents of Police and Deputy Superintendent of Police in the States of Punjab, Haryana and Union Territory, Chandigarh are directed to ensure that motorcycles throughout the States of Punjab, Haryana and Union Territory, Chandigarh are duly fitted with silencers to avoid noise pollution and menace.

vi) No person, throughout the States of Punjab, Haryana and Union Territory, Chandigarh, shall carry any fire-arm to a fair, religious procession/ marriage procession or other public assemblage or within the campus or precincts of any educational institution.

vii) The Licensing Authorities are also directed to ensure that no licence is issued to any person, who has not completed the age of 21 years.

viii) No licence shall be issued to a person who has been sentenced on conviction of any offence involving violence or moral turpitude to imprisonment for [any term] at any time during a period of five years.



ix) No licence shall be issued to a person who has been ordered to execute under Chapter VIII of the [code of Criminal Procedure, 1973 (2 of 1974)], a bond for keeping the peace or for good behaviour, during the term of the bond.

x) The Director General of Police in the States of Punjab, Haryana and Union Territory, Chandigarh, are directed to ensure that no songs are played glorifying the liquor, wine, drugs and violence in any song even in live shows.

xi) The States of Punjab, Haryana and Union Territory, Chandigarh are also directed that no child below the age of 12 years is permitted to enter cinema halls/ multiplexes, where "A" certificate films are screened.

xii) The District Administration is directed to ensure that nude posters, semi-nude posters, obscene posters should not be fixed/ displayed in any district near the educational institutions in the States of Punjab, Haryana and Union Territory, Chandigarh.

xiii) The Deputy Commissioners in the States of Punjab, Haryana and Union Territory, Chandigarh, are directed to ensure that no loudspeakers are permitted 15 days before the annual examinations and during the course of examinations.

xiv) The recommendations made by the Committee constituted by this Court are ordered to be implemented in letter and spirit for proper enforcement of law.

xv) The District Magistrates/ Senior Superintendents of Police/ Superintendents of Police of each district shall be personally responsible to ensure due compliance of the directions issued hereinabove."

5. A careful and contextual reading of the aforesaid directions reveals that the Division Bench was primarily addressing the menace of noise pollution and ensuring enforcement of the Noise Pollution (Regulation and Control) Rules, 2000 and related cognate provisions. The directions



regulate the use of loudspeakers, public-address systems and sound-amplifying devices in physical spaces and lays down temporal restrictions, cast monitoring and enforcement obligations on the State machinery.

6. It is a well-settled principle that the contempt jurisdiction is quasi-criminal; consequently, the standard of proof is high and presumptions cannot substitute proof. Further, it is trite law that contempt is not a vehicle to expand or re-write an order or to conduct a roving enquiry into generalized non-compliance.

7. Tested on these parameters, the petition is deficient on foundational facts. No specific instance has been pleaded such as the date, venue, event, or the identity of the persons or authorities where the directions extracted above were violated. Even qua Direction – “28. (x) *The Director General of Police in the States of Punjab, Haryana and Union Territory, Chandigarh, are directed to ensure that no songs are played glorifying the liquor, wine, drugs and violence in any song even in live shows.*”, the petitioner has not identified any particular live show or public event in which such songs were played, nor any responsible officer who, despite knowledge, failed to act.

8. The principle grievance actually, is directed at the availability of songs on online/digital platforms (YouTube, Apple Music, JioSaavn, Wynk Music, Spotify, etc.). However, the Division Bench directions reproduced above do not regulate the hosting or transmission of online content. The direction principally govern noise pollution and the use of sound-producing devices at physical venues, with corresponding on-ground enforcement. To the extent the petitioner seeks regulation or take-down of content on digital



platforms, that is beyond the four corners of the directions issued by Division Bench in CWP-6213-2016 and is not a ground of civil contempt of that said judgment. Appropriate remedies, if any, lie under the framework governing intermediaries and content, not in contempt of the judgment aimed at noise control.

9. For the foregoing reasons, this Court is of the considered view that the petitioner has failed to establish any instance of willful and deliberate disobedience of the judgment of the Division Bench dated 22.07.2019. Consequently, the present petition is devoid of merit, not maintainable in law, and stands liable to be dismissed.

10. It emerges from the record that Mr. Hardik Ahluwalia, Advocate is petitioner-in-person. While the Court was inclined to impose costs for filing a misconceived contempt petition, considering that he is a young member of the Bar and mindful that costs may unduly prejudice him, this Court refrained itself from imposing costs. He is, however, cautioned to exercise due care in future.

11. The contempt petition is dismissed.

12. Pending applications, if any, stand disposed of.

(SUDEEPTI SHARMA)
JUDGE

September 02st, 2025

Sahil

Whether speaking/non-speaking : Yes/No
Whether reportable : Yes/No