

COCP-4723-2024

Antriksh Vs. Manoj Kumar and others

Present: Mr. Ankit Chahal, Advocate and
Ms. Monika Beriwal, Advocate
for the petitioner.

Mr. Dinesh Arora, Advocate
for respondent No.1.

The present contempt petition has been filed under Article 215 of the Constitution of India read with Sections 10, 11 and 12 of the Contempt of Courts Act, 1971, with a prayer for initiating the Contempt of Court proceedings against the respondents for intentionally, willfully and deliberately creating, producing and circulating a fake, forged, fabricated and manipulated document (Annexure P-2), purporting to be a copy of the order of this Court passed on 20.11.2024 in CWP No.31164 of 2024, whereas a copy of the original order passed by this Court on 20.11.2024 in CWP No.31164 of 2024 is attached with the instant contempt petition as Annexure P-1.

2. Mr. Ankit Chahal, Advocate appears and files fresh Vakalatnama on behalf of the petitioner in Court today, which is taken on record, subject to all just exceptions.

3. It is the case of petitioner in the contempt petition that the above referred writ petition bearing CWP No.31164 of 2024 has arisen out of the partition proceedings pending between the parties, wherein the Instrument of Partition (*Sanad Takseem*) came to be issued on 09.02.2024 by the learned Assistant Collector, Ist Grade, Rohtak. It is stated that the revision petition (ROR No.318 of 2023-24) preferred by respondents No.2 to 5 in the present contempt petition, was rejected by the learned Financial Commissioner, Haryana vide order dated 30.10.2024. In the meantime, the petitioner herein

namely, Antriksh, had filed an Execution Petition on 13.09.2024 for handing over the possession of the partitioned land, whereupon the *Halqa Girdawar*, namely Manoj Kumar (respondent No.1 herein) was entrusted the matter for carrying out the demarcation and delivering the possession of the partitioned land to the respective share holders, in compliance of the Instrument of Partition (*Sanad Takseem*). It is stated that thereafter, respondent No.1 had issued notices to the parties on 22.10.2024 and 04.11.2024 and on both the occasions, proceedings were not conducted. Respondents No.2 to 5 thereafter, filed a writ petition bearing CWP No.31164 of 2024 challenging the partition proceedings/*Sanad Takseem* etc., which came to be listed for hearing before a co-ordinate Bench of this Court on 20.11.2024 and the same was simply adjourned to 26.11.2024 (Annexure P-1). It is alleged that since respondents No.2 to 5 failed to get any interim stay in their favour and in order to hamper the execution proceedings, they hatched a criminal conspiracy in collusion with each other by forging and manipulating the original order dated 20.11.2024 passed and uploaded on the Website of this Court; and fabricated a document (Annexure P-2), as noticed above. It is stated that the aforesaid fabricated document (Annexure P-2) was forwarded by respondent No.1 (Manoj Kumar, Halka Girdawar, Office at 10, Civil Road, Company Bagh, Rohtak Tehsil Office, Rohtak, Haryana) on the WhatsApp number of the petitioner, i.e. 81680-13127 from his own (Manoj Kumar's) WhatsApp number 98125-01666. In this regard, the petitioner has placed on record a screenshot of the WhatsApp message (Annexure P-3) received by him from Manoj Kumar (respondent No.1 herein).

4. Original order dated 20.11.2024 (Annexure P-1) and the order

which is stated to be fake and fabricated order, i.e. Annexure P-2, read as under:-

**Order (Annexure P-1) as uploaded
on Website of this Court**

*On request of learned counsel for the
petitioners, adjourned to 26.11.2024.*

Contents of Annexure P-2

*Per the petition filed by Ld. Counsel,
the petitioner are allotted less land
compared to their rightful evident,
thereby has been accepted.
On request of learned counsel for the
petitioners, no action is commanded
as adjourned to 26.11.2024.*

5. During the course of hearing of this contempt petition, the authenticity of order dated 20.11.2024 was checked on the Website of this Court and it is seen that in fact the original order passed in writ petition bearing CWP No.31164 of 2024 is the one which is attached with this contempt petition as Annexure P-1, whereas, order dated 20.11.2024 attached as Annexure P-2 is clearly a fudged/forged and fabricated document.

6. Notice of motion.

7. Mr. Sushil K.Sharma, Advocate for Mr. M.L. Sharma, Advocate, appears and accepts notice on behalf of respondents No.2 to 5 in the Contempt Petition and seeks time to file reply.

8. At this stage, Mr. Dinesh Arora, Advocate appears and files his Power of Attorney on behalf of respondent No.1 (Manoj Kumar) in Court today, which is taken on record, subject to all just exceptions. He informs the Court that the forged document (Annexure P-2) was in fact forwarded to mobile number of respondent No.1 (Manoj Kumar) by respondent No.4 (Anil Kumar son of Om Parkash) from his mobile phone bearing No.99997-26829.

8.1 It is stated that the aforesaid mobile number of respondent No.4

herein (Anil Kumar) is also mentioned in the Memorandum of Parties of the writ petition (CWP No.31164 of 2024), as Anil Kumar is petitioner No.3 in the said writ petition.

9. Apparently, the original order (Annexure P-1) passed by this Court in CWP No.31164 of 2024 has been fudged/forged and fabricated, which is indeed a serious matter and requires to be thoroughly investigated/inquired into.

10. The petitioner (Antriksh), who is present in person in this Court and has been duly identified by his counsel, has brought his mobile phone on which he had received the aforesaid forged/fudged message from respondent No.1 (Manoj Kumar). Accordingly, an officer was called from Police Station Cyber Crime, Sector-17, U.T., Chandigarh, whereupon Sub-Inspector Satyawan Singh, Belt No.1274 from Police Station Cyber Crime, Sector-17, U.T., Chandigarh has put in appearance.

10.1 Petitioner (Antriksh) is directed to accompany Sub-Inspector Satyawan Singh to the Police Station, where Sub-Inspector Satyawan Singh or any other competent officer shall take the mobile phone of the petitioner in custody, after complying with all formalities.

11. In view of the above, Senior Superintendent of Police, Chandigarh is directed to get the matter thoroughly inquired into as regards the person(s) involved in creating/forging the document (Annexure P-2) and to submit a report in this regard within a period of one month from today.

11.1 Registry of this Court is also directed to furnish its report with regard to Annexures P-1 and P-2 attached with the Contempt Petition.

12. List for further consideration on 23.04.2025.

13. To be shown in the Urgent List.

14. Copy of this order be immediately forwarded to the Senior Superintendent of Police, Chandigarh for necessary action and compliance.

14.1 A copy of this order be also given to Satyawar Singh, Belt No.1274 from Police Station Cyber Crime, Sector-17, U.T., Chandigarh as well as learned counsel for the parties under the signatures of Court Secretary attached with this Court.

01.03.2025
Apurva

(HARSH BUNGER)
JUDGE