



COCP-5983-2025 (O&M)

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

**COCP-5983-2025 (O&M)
Reserved on : 30.01.2026
Date of Pronouncement : 09.02.2026
Uploaded on : 09.02.2026**

Rajbir Singh Brar ..Petitioner

Versus

Gaurav Yadav and others ..Respondents

Whether only the operative part of the judgment is pronounced? **NO**
Whether full judgment is pronounced? **YES**

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present: Mr. Rajbir Singh Brar, petitioner in-person.

Mr. Ravneet S. Joshi, DAG, Punjab,
for the respondent.

SUDEEPTI SHARMA, J.

1. At the very outset, this Court apprised the petitioner, who is present in-person, that in the event the present contempt petition is found to be frivolous, costs of Rs.1,00,000/- would be imposed. In response thereto, the petitioner insists that the costs of Rs.2,00,000/- be imposed, if the contempt petition be found to be frivolous.

2. The present contempt petition has been filed for deliberate and intentional disobedience of order dated 30.07.2024 passed by the Division Bench of this Court in CWP-2066-2018.

3. The Division Bench of this Court had passed the following directions in CWP-2066-2018, vide its order dated 30.07.2024:-



“8. In view of the above, it would be appropriate to dispose of the present petition with the following directions:-

- i) State of Punjab is directed to ensure that whenever a complaint is made which reflects commission of cognizable offence, an FIR ought to be registered in terms of the law laid down by the Apex Court in Lalita Kumari’s case (*supra*).*
- ii) The provisions of the Pre-Conception and Pre-Natal Diagnostic Techniques Act, 1994 be followed in its letter and spirit.”*

4. In compliance of the order dated 30.07.2024, short reply by way of affidavit dated 20.01.2026 of Gaurav Yadav, IPS, Director General of Police, Punjab, Chandigarh, along with Annexures R-1 & R-2, has been filed on behalf of the respondents before the Registry. The same is taken on record. The relevant portion of the same is reproduced as under:-

“4. That a perusal of aforesaid Order dated 08.12.2025 of this Hon’ble Court shows that petitioner has alleged deliberate and intentional disobedience of Order dated 30.07.2024 passed by this Hon’ble Court in CWP 2066 of 2018. The aforesaid Order dated 30.07.2024 was passed in CWP 2066 of 2018 titled as ‘National Anti Crime and Human Rights Protection of India versus State of Punjab and Others’ in which this Hon’ble Court had passed the following directions (relevant part of Order dated 30.07.2024): -



“8. In view of the above, it would be appropriate to dispose of the present petition with the following directions:-

- i) *State of Punjab is directed to ensure that whenever a complaint is made which reflects commission of cognizable offence, an FIR ought to be registered in terms of the law laid down by the Apex Court in Lalita Kumari's case (supra).*
- ii) *The provisions of the Pre-Conception and Pre-Natal Diagnostic Techniques Act, 1994 be followed in its letter and spirit.”*

A perusal of aforesaid Order shows that the said matter related to the provisions of the Pre-Conception and Pre-Natal Diagnostic Techniques Act, 1994 and have no relation to the allegations levelled by the petitioner in the present matter.

5. *That the present matter relates to District Faridkot. A detailed report regarding the matter and other relevant documents have been obtained from the Senior Superintendent of Police, Faridkot.*

6. *That the deponent craves for indulgence of this Hon'ble Court to submit that the prayer made by the petitioner is wholly misconceived. Prayer has been made by the petitioner in Clause VI of COCP 5983 of 2025, which reads as under: -*

“VI. PRAYER

It is, therefore, most respectfully prayed that this Hon'ble Court may be pleased to:

- a) *Initiate contempt proceedings against Respondents No. 1 to 3 for wilful, deliberate and conscious violation of*



mandatory directions of the Hon'ble Supreme Court in Lalita Kumarl.

b) Direct registration of FIR against the erring accused officers:

- i. Smt. Pragaya Jain, IPS, Senior Superintendent of Police, Faridkot*
- ii. Sh. Sandeep Kumar, PPS, Superintendent of Police (Investigation), Faridkot, Chairman of the SIT*
- iii. Sh. Tarlochan Singh, PPS, Deputy Superintendent of Police (Sub-Division), Faridkot; SIT Member*
- iv. Sh. Rajesh Kumar, SHO, PS Sadar Faridkot; SIT Member*
- v. Sh. Jasmit Singh PPS, Superintendent of Police (Investigation), Faridkot conducted biased inquiry on complaint No. 616/PC/8-24 dated 5.4.2024.*

c) Direct CBI or any independent agency to investigate; embezzlement of Govt. funds, Forging/Tampering with Govt. records, theft of Govt. record, fabrication of evidence, false affidavits, collusion and Conspiracy with accused, Filing of wrong and misleading Challan and manipulation of the investigation.

d) Pass any other order deemed just and proper."

A perusal of the aforesaid prayer clause shows that apart from alleging wilful disobedience of orders and directions of this Hon'ble Court, the petitioner has prayed before this Hon'ble Court for directing registration of FIR against the police officers and direction to CBI or any independent agency to investigate allegations levelled by the petitioner. Thus, the all-encompassing prayer made by the petitioner is wholly



misconceived and beyond the scope of present contempt proceedings, as the same are in the nature of mandamus.

7. *That as per the report submitted by the Senior Superintendent of Police, Faridkot, the petitioner had earlier filed a complaint No. 616/PC-8-24 dated 05.04.2024 to the Senior Superintendent of Police, Faridkot levelling allegation of embezzlement of school grants and tempering of government records etc. Similar complaint was made by the petitioner to concerned authorities in the Education Department.*

8. *That on the complaint of District Education Officer (DEO), case FIR No. 21 dated 04.02.2025 was registered for commission of offence under sections 409, 420, 465, 468, 471 IPC (sections 467/120-B IPC added later) at Police Station Sadar, Faridkot, against the following accused person:*

- i. *Jaskewal Singh, C.H.T., Government School, New Pipli;*
- ii. *Dhanna Singh Deol, Ex-DEO (Ele. Edu.), Faridkot;*
- iii. *Sukhjinder Singh, Sr. Assistant, Office of DEO, Faridkot;*
- iv. *Rajwinder Kaur, Principal, Government School, Pakhi Kalan;*
- v. *Varinder Kumar Salhotra, Principal, Government School, Moranwali;*
- vi. *Sudha, Principal, Government School, Araiyanwala Kalan;*
- vii. *Nachhattar Singh, Ex-Member, School Management Committee.*

9. *That to ensure effective investigation, a Special Investigation Team (SIT) was constituted vide Order No. 4346-48/C dated 24.02.2025 by Senior Superintendent of Police, Faridkot comprising of the following: -*

- i. *Superintendent of Police (Investigation) Faridkot.*



ii. Deputy Superintendent of Police (Sub-Division) Faridkot.

iii. SHO, PS Sadar Faridkot.

10. That the SIT examined accused Nachhattar Singh, Rajwinder Kaur, Sudha, Varinder Kumar Salhotra and Sukhjinder Singh.

11. That the investigation by the SIT revealed that petitioner had lodged prior complaints with various authorities regarding alleged embezzlement of funds and forgery/tampering of records. The investigation established that petitioner- Rajvir Singh Brar had already made several complaints to the different authorities alleging forgery/tampering in the official record and embezzlement in the funds. It was found that during enquiry into the matter, accused Nachhattar Singh, Sudha, Rajwinder Kaur, Sukhjinder Singh and Varinder Kumar had prepared a preliminary report dated 03.09.2020, followed by final report dated 11.09.2020, which were submitted to the concerned authorities. The SIT found that there was no mens rea on part of accused person nor they had any connivance with the prime accused Jaskewal Singh. Due to insufficiency of evidence the SIT found 05 accused Sudha, Rajwinder Kaur, Sukhjinder Singh, Varinder Kumar Salhotra and Nachhattar Singh innocent in the case. The SIT submitted its report dated 13.10.2025, which was approved by the Senior Superintendent of Police, Faridkot.

Upon completion of investigation against accused Dhanna Singh Deol, (DEO Retired), Final Report/Challan was presented to the competent court on 15.10.2025. Accused Jaskewal Singh is absconding from law. His warrants of arrest have been obtained for 30.01.2026 from Ld. JMIC, Faridkot. Further investigation in the matter is under progress. In view of the aforesaid, the Senior Superintendent of Police, Faridkot has been directed to expedite further investigation against accused Jaskewal Singh who is absconding from law.



12. That it has further been report that the District Police has carried out the investigation of FIR No. 21 (supra) in a fair and impartial manner, whereas the dissatisfaction of the present petitioner with the outcome of investigation does not attract the contempt proceedings in any manner. Moreover the petitioner is not an *de facto* complainant of this FIR; but he wants to steer the investigation of the case on his own terms and thus the instant petition which has been filed with a view to apply pressure tactics deserves to be dismissed. The representation Annexure: P-3 is highly vexatious, scandalous and frivolous and need not be acted upon. Present petition is liable to be dismissed.

13. That it has further been reported that representation (Annexure P-3) made by the petitioner was received in the office of Senior Superintendent of Police, Faridkot. It was numbered 934-PC/9/25 dated 20.12.2025. The said representation containing similar allegations of embezzlement, forgery etc. was enquired into by SHO, Sadar Faridkot. The Deputy Superintendent of Police, Sub-Division, Faridkot concurred with the report of SHO, PS Sadar Faridkot, which was further accepted by Superintendent of Police, Investigation, Faridkot and approved by Senior Superintendent of Police, Faridkot on 10.01.2026. After approval by Senior Superintendent of Police, Faridkot the same was consigned to record.

14. That it has further been reported that petitioner had earlier filed a CRM-M No. 38992 of 2025 for issuance of directions to the respondent to file a status report in FIR No. 21/2025. It was further prayed to quash the Special Investigation Team constituted in the case. The said CRM-M was disposed of vide order dated 20.08.2025, which is reproduced herein below: -

“The petition has been filed inter alia seeking a direction to the respondents to file a status report in FIR No. 21 dated 04.02.2025, registered under Sections 409, 420, 465, 468, 471 IPC, at Police Station Sadar, Faridkot, and quash the Special Investigation Team (SIT) constituted in the case.



2. Status report, dated 05.08.2025, has been filed on behalf of the respondents which specifically states that investigation in the matter is going on and statements of relevant witnesses, including that of District Education Officer (Elementary), Faridkot, has also been recorded.

3. Learned State counsel submits that the SIT will conclude the investigation within two months from today.

4. In view of statement made, learned counsel for the petitioner has no objection to the petition being disposed of in terms thereof.

5. Ordered accordingly."

15. That it is further humbly submitted that earlier the petitioner had filed COCP No. 5433 of 2025 titled as *Rajbir Singh Brar versus Gaurav Yadav, IPS and Others*, which was dismissed as withdrawn by passing the following order on 07.11.2025, a copy of which is annexed alongwith and marked as **ANNEXURE R-2**:-

"4. The legality and correctness of the status report cannot be determined in the present petition filed under the Contempt of Courts Act for initiation of contempt proceedings. However, the petitioner has alternate remedy to assail the correctness of the status report.

5. After arguing for some time, the petitioner wishes to withdraw the present petition with liberty to avail appropriate alternate remedy and also to file an application before the Court seeking modification of the order dated 20.08.2025 (Annexure P-3).

6. Dismissed as withdrawn with aforesaid liberty"

5. A perusal of the compliance affidavit as well as the material placed on record reveals that the directions issued by the Division Bench



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have been duly complied with. No material has been produced by the petitioner to establish any willful, deliberate or disobedience on the part of the respondents.

6. Further from the compliance affidavit, it is clear that the petitioner is in the habit of filing frivolous contempt petitions. Normally when there is apparent contempt by the official respondents, this Court imposes costs to be deducted from their salary for non-compliance of the order. The present case is the set example of the litigants, who are in the habit of blaming/targeting the official respondents unnecessarily. A perusal of the compliance affidavit itself shows that there is no disobedience by the respondents, rather, they are doing their duties effectively and efficiently.

7. A perusal of the whole file of this case shows that the petitioner is in the habit of filing contempt petitions and blaming the official respondents by name. Such conduct amounts to a gross abuse of the process of law and unnecessarily adds to the burgeoning pendency of cases before this Court.

8. It is well settled that contempt jurisdiction is required to be exercised with great caution and circumspection and only in cases where willful and intentional disobedience of an order of the Court is clearly made out. The jurisdiction cannot be invoked to settle scores or to unnecessarily harass officials, particularly when the record reflects compliance with the directions issued by this Court.

9. Similar matter has already been dealt with by this Court in **COCP-3579-2025** decided on 24.07.2025 titled as "***Payal Chaudhary V/s***



KAP Sinha IAS and others”, while placing reliance on the judgments passed by Hon’ble Supreme Court in case titled as “***Dalip Singh V/s State of Uttar Pradesh and others (2010) 2 SCC 114, Subrata Roy Sahara V/s Union of India (2014) 8 SCC 470 and K.C. Tharakan V/s State Bank of India & Ors. Passed in Writ Petition (Civil) Diary No(s).27458/2022***”.

The relevant paragraphs of ***Payal Chaudhary (supra)*** are reproduced as under:-

“9. *It is evident that the petitioner has engaged in what can only be described as a frivolous and vexatious litigation spree, seemingly driven by a misplaced sense of grievance. Such conduct constitutes a gross abuse of the judicial process and contributes significantly to the burgeoning pendency of cases before this Court. The tendency of litigants to misuse the judicial forum by engaging in forum shopping, filing repetitive and meritless petitions, and adopting dilatory tactics undermines the very foundation of our legal system and clogs the administration of justice.*

10. *The Hon’ble Supreme Court, in ***Dalip Singh Vs. State of Uttar Pradesh and others (2010) 2 SCC 114***, has cautioned against this emerging category of unscrupulous litigants who, devoid of respect for truth, resort to falsehood and unethical practices in their pursuit of relief. The Supreme Court emphatically held that such litigants, who seek to pollute the stream of justice or who dare to touch the fountain of justice with unclean hands, are not entitled to any relief, interim or final. Relevant extracts of the same is reproduce as under:-*



“In the last 40 years, a new creed of litigants has cropped up. Those who belong to this creed do not have any respect for truth. They shamelessly resort to falsehood and unethical means for achieving their goals. Courts have evolved new principles to curb such abuse, and it is now well established that a litigant who attempts to pollute the stream of justice or touches the pure fountain of justice with tainted hands is not entitled to any relief, interim or final.”

11. *The petitioner’s conduct in instituting frivolous litigation has resulted in a gross misuse of the judicial process, thereby squandering the valuable time and resources of this Court. It is imperative, in the interest of justice, that bona fide and timely claims are adjudicated expeditiously, without being impeded by vexatious and unscrupulous litigation. At this juncture, reference may be made to the pertinent observations of the Hon’ble Supreme Court in **Subrata Roy Sahara v. Union of India (2014) 8 SCC 470**, wherein the Court lamented the pervasive malaise of frivolous litigation afflicting the Indian judicial system. The Hon’ble Apex Court observed as under:-*

“The Indian judicial system is grossly afflicted with frivolous litigation. Ways and means need to be evolved, to deter litigants from their compulsive obsession towards senseless and illconsidered claims. One needs to keep in mind, that in the process of litigation, there is an innocent sufferer on the other side of every irresponsible and senseless claim. He suffers long drawn anxious periods of nervousness and restlessness, whilst the litigation is pending, without any fault on his part.”

12. *The Hon’ble Supreme Court has consistently emphasized the need to deter frivolous appeals and*



*petitions by imposing exemplary costs on the litigating parties. In Writ Petition (Civil) Diary No(s). 27458/2022 titled as **K.C. Tharakan v. State Bank of India & Ors.** decided on 01.05.2023, the Hon'ble Apex Court held as follows:*

“No legal system can permit a situation wherein a party repeatedly agitates the same issue after it has been conclusively adjudicated by the highest judicial forum. Such conduct amounts to a gross misuse of the judicial process and results in a significant waste of valuable judicial time. Accordingly, the present writ petition is dismissed with costs. However, taking into consideration that the petitioner is a dismissed employee, we deem it appropriate to impose a nominal cost. The writ petition is, therefore, dismissed with costs quantified at ₹10,000/-, to be deposited with the Supreme Court Advocates-on-Record Welfare Fund, to be utilized for the benefit of the SCBA Library.”

10. In view of the above referred to judgments, this Court is firmly of the opinion that the instant petition constitutes a glaring instance of misuse of the judicial process. It is, therefore, incumbent upon this Court to safeguard the sanctity of judicial proceedings and to prevent their exploitation by unscrupulous litigants. The time and resources of this Court are limited and must be reserved for *bona fide* grievances that merit judicial consideration.

11. Further Hon'ble the Supreme Court in **Writ Petition(s) (Civil) No(s).240 of 2025** titled as '**Sandeep Todi Vs. Union of India and others**', wherein the petitioner appeared and argued in person, passed the following order on 22.04.2025:-



"The petitioner, appearing in person, is an advocate and understands the law and nuances of law, has still got the guts to file this petition under Article 32 of the Constitution of India.

He has not only wasted the valuable time of the Court but also of the Registry and has spoiled the entire environment of the Court.

On the previous occasions in other pending petitions, the petitioner was advised to mend his ways.

We have also perused the reliefs claimed in the petition, which a prudent lawyer of basic knowledge of law would not claim in a petition under Article 32 of the Constitution of India, but still the petitioner, who has a registration with Bar Council from last three years, has been conducting his cases in different Courts, including this Court, has still made all those prayers. The allegations made in the petition and the relief claimed are totally frivolous and malicious.

Today, when the matter is taken up, the petitioner has stated that he may be permitted to withdraw this petition.

If we allow simpliciter withdrawal of such petitions, it would send a wrong message to the litigants to file any frivolous petition and then get away by simpliciter withdrawals.

Accordingly, we dismiss this petition with cost of Rs.5,00,000/- (Rupees five lakhs only) to be deposited with the National Legal Services Authority within four weeks and proof of such deposit may be filed before the Registry of this Court within six weeks from today.



In case, proof of deposit is not filed by the petitioner within the time indicated above, Registry to list the matter before this Court.

Pending applications stand disposed of.

12. The aforesaid judgments clearly emphasize that frivolous and vexatious litigation must be curbed with a firm hand. The repeated filing of meritless petitions not only results in wastage of precious judicial time but also causes unnecessary harassment to public officials who are constrained to defend themselves despite having acted in accordance with law.

13. Therefore, in the considered opinion of this Court, the time has come when not only deterrent costs must be imposed upon the official respondents but also upon the frivolous litigants. If, in cases of genuine disobedience, costs can be imposed upon officials and recovered from their salaries, there is no reason why, in cases of manifest abuse of process such as the present one, the erring petitioner should not be saddled with exemplary costs payable to the affected officials.

14. Accordingly, with a view to sending a strong deterrent message and to preserve the sanctity of judicial proceedings, this Court deems it appropriate to impose costs of Rs.3,00,000/- upon the petitioner.

15. The said amount shall be deposited with the Department of Home, Punjab, which shall disburse the same to the respondents in the present contempt petition in equal shares in their respective accounts.

16. Consequently, the present contempt petition is dismissed with costs of Rs.3,00,000/- (Rupees Three Lakh only), payable to the respondents

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in equal shares, i.e. Rs.1,00,000/- each, to be credited into their respective accounts.

17. In the event of default in compliance, the amount shall be recovered from the petitioner as arrears of land revenue by the competent authority.

18. Pending miscellaneous applications, if any, are also disposed of.

09.02.2026

Virender

**(SUDEEPTI SHARMA)
JUDGE**

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No