



Jose

IN THE HIGH COURT OF BOMBAY AT GOA**CONTEMPT PETITION (MAIN) NO.1 OF 2023****TUKARAM @MANOJ PARAB****... Petitioner.***Versus***VIVEK HALANKAR AND 2 ORS.****... Respondents.**

Mr Carlos Ferreira, Senior Advocate with Mr Nehal Govekar,
Advocate for the Petitioner.

Mr Siddharth Samant, Additional Government Advocate for
Respondent Nos.1 and 2.

Mr Deep Shirodkar, Additional Government Advocate for
Respondent No.3.

CORAM: BHARAT P. DESHPANDE, J.**DATED: 10 September, 2024****P.C:**

1. Heard Mr Carlos Ferreira learned Senior Counsel along with Mr Nehal Govekar for the Petitioner and the learned Additional Government Advocates for the State. Both the Contemnors are present in person.
2. The affidavits dated 09.08.2024 and 12.08.2024 are placed on record filed by the Contemnors seeking unconditional apology and undertaking that they will take necessary steps in future and shall not repeat such mistake.
3. Affidavits show that it was due to inadvertent mistake and both

Contemnors regret for such mistake.

4. The present proceedings have initiated only on the ground that the said Contemnors committed breach of the directions issued by the Apex Court in the case of *Arnesh Kumar* and arrested the petitioner in odd hours and that too when such arrest was not necessary.

5. Since the affidavits tendering unconditional apology is filed by both the Contemnors with an undertaking that they will not repeat such mistake, the same stands accepted.

6. The Contemnors shall be careful in future in performing the duties and more specifically with the directions issued by the Apex Court in the case of *Arnesh Kumar vs. State of Bihar*¹.

7. Court is satisfied with the affidavits filed on record and accordingly, notice of contempt stands discharged.

8. Proceeding stand closed.

BHARAT P. DESHPANDE, J.

¹ (2014) 8 SCC 273