



Ref. BCPH/ELECTION/

Dated

(In the matter of **Munish Lather Vs. Raj Kumar Chauhaan, Advocate**)

ORDER

13.02.2026

Mr. Raj Kumar Chauhaan Advocate, practicing at Karnal, has filed his nomination paper for the election to the Bar Council of Punjab and Haryana. During scrutiny it came to the notice of Hon'ble RO Justice Jai Shree Thakur Judge (retd) that some criminal cases were filed against Sh. Raj Kumar Chauhaan. One email was also received pointing out two FIRs which had been filed against Mr. Raj Kumar Chauhaan and was statedly pending before court.

Faced with the situation, Hon'ble Returning Officer, directed that the nomination paper of Sh. Raj Kumar Chauhaan be put up before High Powered Committee for consideration and appropriate directions in regard to the eligibility of Mr. Raj Kumar Chauhan to contest the election of member of BCPH.

On receipt of this reference, notice was issued to complainant as well as Mr. Raj Kumar Chauhaan, Mr. Chauhan appeared before High Powered Committee at 11:30 today (13.2.2025.)

Pursuant to the notice complainant as well as Mr. Chauhan have put in appearance before the High Powered Committee. We have heard both the complainant as well as Mr. Raj Kumar Chauhaan. Now complainant Mr. Munish Lather Advocate has made two- fold submission before the Committee. He has first submitted that Mr. Raj Kumar Chauhaan has violated the Code of Conduct issued by the High Powered Committee by issuance of a Calander and Diary depicting the photographs of dignitaries like President of India, Chief Justice of India, Prime Minister and others. He has further urged that there are two FIRs pending against Mr. Raj Kumar Chauhaan. Ist FIR is of

the year 2018 and is under Sections 420, 468, 471 of IPC, whereas the 2nd FIR registered in the year 2019 is for offences under IPC section 420, 406. The complainant was asked to disclose the stage of pendency of these proceedings in the light of Rules formulated by BCI dated 23.06.2023 and amended in the year 2025.

On the other hand, Mr. Raj Kumar Chauhaan submits the police has filed the cancellation report in both the cases against him as referred to above and accordingly no criminal proceedings are pending against him. He however concedes that the cancellation reports filed by the police are yet to be accepted by the Courts.

In view of the above factual position, we are of considered opinion that if Mr. Raj Kumar Chauhaan suffers any ineligibility to contest the election of the Bar Council of Punjab and Haryana. As per rule 4, as amended "a candidate shall be ineligible for election if, as of date not later than 9 months, prior to the election, two or more criminal cases of a serious nature (where offences punishable with imprisonment of 7 years or more) are pending against him or her. Vide amendment introduced on 27.12.2025, the Bar Council has clarified the meaning of case pending. As per this rule criminal case pending means a case, where the police investigating agency has submitted charge sheet and charges have been framed by the competent court.

The factual position in this case is that cases pertaining to both the FIRs lodged against Mr Raj Kumar Chauhaan cannot be treated as criminal case pending against him to make him ineligible for contesting the election the Bar Council of Punjab and Haryana.

In regard to 2nd submission advanced by the complainant regarding the violation of Code of Conduct issued by the High Powered Committee, it is brought to his notice that on his complaint, notice was issued to Mr. Chauhaan for violating the Code of Conduct to which he has submitted his reply. Mr. Raj Kumar Chauhaan has, apologized for issuing the *calendar*. The High Powered Committed after accepting his apology and has directed Mr. Raj Kumar Chauhaan to submit confirmation that he has withdrawal

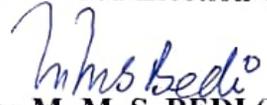
all the calendar and diaries issued by him depicting the photograph. This confirmation was required to be submitted before 10.2.2026, which Mr. Chauhaan has done and has complied with the direction.

The complaint at this stage draws attention to video graph submitted by him showing that some calendars are still being displayed in the chambers of the advocates. This may be so but if some counsel who was supplied the Calander or diary and fails to return the same to Mr. Chauhaan then the fault for the same cannot be attributed to Mr. Chauhaan.

In view of the above we find that Mr. Raj Kumar Chauhaan has not incurred any ineligibility to contest to the Bar Council of Punjab and Haryana and his nomination paper deserves to be accepted.



Justice Ranjit Singh (Retd)
Judge Punjab & Haryana High Court
Chairperson
High Powered Election Committee Phase III-C



Justice M. M. S. BEDI (Retd)
Judge Punjab & Haryana High Court
Member
High Powered Election Committee Phase III-C



Mr. Kuljeet Singh Sidhu, Sr. Advocate
Punjab & Haryana High Court
Member
High Powered Election Committee Phase III-C