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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CRL.M.C. 545/2024

SANJEEV KUMAR Petitioner

Through: Petitioner in person

versus

STATE OF NCT OF DELHI & ORS Respondents

Through: Ms.Meenakshi Dahiya, APP for State
with SI Salman Ahmed, P.S. Hauz
Khas

CORAM:

HON'BLE MR. JUSTICE ANOOP KUMAR MENDIRATTA

ORDER

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09.05.2024

CRL.M.A.14339/2024

1. Petition under Section 482 of the Code of Criminal Procedure, 1973 ('Cr.P.C.') preferred on behalf of the petitioner for setting aside order dated 10.10.2023 passed by learned ASJ, South East District, Saket Courts, New Delhi in CR No.507/2023 was dismissed by this Court vide order dated 23.01.2024 with a cost of Rs.25,000/- to be deposited by the petitioner with Delhi High Court Legal Services Committee within eight weeks.
2. Against the aforesaid order, a Review Petition No.120/2024 has been preferred on behalf of the petitioner which was listed on 27.03.2024 and is pending consideration.
3. Matter was lastly listed on 07.05.2024 before this Court and was directed to be listed on 22.08.2024. The petition has been listed today since Crl. M.A. No.14339/2024 has been preferred on behalf of the petitioner.
4. It has been brought to the notice of this Court that comments were



placed in the Chat Box by the petitioner during the course of proceedings through Video Conferencing on 06.05.2024, as placed on record by the Court staff, though the case was not listed on aforesaid date. The same are hereby reproduced for reference:

*“from Sanjeev to everyone: 5:03 PM
when my cases has fix for hearing why my all matter not hear by this court. There is something wrong
Sanjeev Kumar vs state
9958300477”*

*“from sanjeev to everyone: 5:08 PM
tomorrow my case is list hope this court will pass the order on merit without pressure of bar members review no 120/2024*

*“Sanjeev Kumar vs state
tomorrow is fix
but this court is slow to hear my cases
Jo darta hai wo kabhi justice nhi kar payega”*

*“from sanjeev to everyone: 5:20 PM
Sanjeev Kumar vs state ke case list hote hai court 3pm hi uth jati hai janboojhkar slow slow hearings karti hai
9958300477
galat order pass karti hai
pandit ki tarah bhavishya vani karti hai...Without merit order pass karti hai”*

*“from sanjeev to everyone: 5:25 PM
case jada hai toh Hon’ble chief justice of Delhi HC se aur case allocated mat karwao ish court ko...pahle old backlog finish kar lo”*

*“from sanjeev to everyone: 5:32 PM
05:31 PM right now
Mere cases na sunne ke liye bar members ka pressure”*

*“from sanjeev to everyone: 5:33 PM
Kal bhi yahi hoga mere case m lekin no settlement
From sanjeev to everyone: 5:33 PM
no case will settlement...Sanjeev Kumar vs state”*

*“from sanjeev to everyone: 5:34 PM
mujhe harassment karne ki mat socho sab bekar hai”*



5. Petitioner, who is a practicing Advocate is expected to maintain decorum, has not expressed any remorse, on inquiry, and stands by the said comments.

6. On the face of record, the comments were placed in public domain with intention to scandalize the Court and are patently contemptuous and interfere with due course of judicial proceedings. Since the comments have been placed to undermine the authority of the Court in the perception of public at large, the same fall within the ambit of criminal contempt under Section 14 of the Contempt of Courts Act, 1971.

Petitioner is directed to show-cause as to why the notice for contempt be not issued and contempt proceedings initiated against him and referred to concerned Roster Bench/Division Bench for consideration in accordance with law. Reply, if any, be filed within three working days.

7. At this stage, petitioner submits that he wishes to withdraw the Review Petition from this Court and seeks to file SLP before the Hon'ble Supreme Court in respect of which the reference has also been made in Chat Box. The same is reproduced for reference:

*“from sanjeev to everyone: 2:00 PM
item no.61
Sanjeev Kumar v. State
Sanjeev Kumar in person*

The petitioner wishes to withdraw his review petition from this Hon'ble court and wants to file SLP before the Hon'ble Supreme Court.

This Hon'ble High Court should not be motive to keep the petition against the wishes of the petitioner.

It is principle of natural justice that when petitioner complains of this Hon'ble Court then this Hon'ble Court is duty to transfer all the petition of the petitioner immediately to another Court.”



8. This Court is of the considered opinion that petitioner can always exercise the remedies available to him in accordance with law but the same does not give liberty to make contemptuous allegations and undermine the authority of the Court.

List on 15.05.2024.

A copy of this order be given *dasti* under the signatures of the Court Master to the petitioner, who appears in person, for purpose of filing of reply, if any.

ANOOP KUMAR MENDIRATTA, J

MAY 9, 2024/v/sd