

**IN THE HIGH COURT OF GUJARAT AT AHMEDABAD**

**R/CRIMINAL MISC.APPLICATION (FOR CONTEMPT OF COURT)  
NO. 2911 of 2025**

**With  
CRIMINAL MISC.APPLICATION (FOR JOINING PARTY) NO. 1 of  
2026**

**In R/CRIMINAL MISC.APPLICATION NO. 2911 of 2025**

**With  
CRIMINAL MISC.APPLICATION (FOR CONTEMPT) NO. 2 of 2026  
In R/CRIMINAL MISC.APPLICATION NO. 2911 of 2025**

**With  
CRIMINAL MISC.APPLICATION (DIRECTION) NO. 3 of 2026  
In R/CRIMINAL MISC.APPLICATION NO. 2911 of 2025**

**With  
CRIMINAL MISC.APPLICATION (DIRECTION) NO. 4 of 2026  
In R/CRIMINAL MISC.APPLICATION NO. 2911 of 2025**

**With  
CRIMINAL MISC.APPLICATION (DIRECTION) NO. 5 of 2026  
In R/CRIMINAL MISC.APPLICATION NO. 2911 of 2025**

**With  
CRIMINAL MISC.APPLICATION (DIRECTION) NO. 6 of 2026  
In R/CRIMINAL MISC.APPLICATION NO. 2911 of 2025**

**With  
CRIMINAL MISC.APPLICATION (DIRECTION) NO. 7 of 2026  
In R/CRIMINAL MISC.APPLICATION NO. 2911 of 2025**

**With  
CRIMINAL MISC.APPLICATION (DIRECTION) NO. 8 of 2026  
In R/CRIMINAL MISC.APPLICATION NO. 2911 of 2025**

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**SUO MOTU**

**Versus**

**DEEPAK KHOSLA & ANR.**

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**Appearance:**

**LAW OFFICER BRANCH(420) for the Applicant(s) No. 1**

**MR. SHALIN MEHTA, SR. ADVOCATE, with VIKAS V NAIR(7444) for  
the Applicant(s) No. 1**

**NOTICE NOT RECD BACK for the Respondent(s) No. 1**

**NOTICE SERVED for the Respondent(s) No. 2**

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**CORAM:HONOURABLE MR.JUSTICE N.S.SANJAY GOWDA**

**and**

**HONOURABLE MR.JUSTICE J. L. ODEDRA**

**Date : 13/10/2026**

**JUDGMENT**  
**(PER : HONOURABLE MR.JUSTICE N.S.SANJAY GOWDA)**

1. A suo motu contempt petition was initiated by this Court in the light of the fact that the respondent No.1 herein made certain assertions in his application that he had filed for initiation of contempt. The assertions were directed against two Sitting Judges of this Court. This Court was of the view that the assertions and the manner in which the respondent No.1 conducted himself warranted a suo motu action of contempt against him.

2. Yesterday, when the matter was argued and when the relevant assertions in the application were pointed out to the respondent-contemnor, he offered an unconditional apology and submitted that there was no justification for making the said assertions. The assertions are in fact recorded in the order sheet yesterday and are reiterated herein for the sake of clarity:

*“Shri Deepak Khosla, who appeared in person, submitted that he is offering an unconditional apology for the following averments that he made in Paragraph Nos. 49, 55, 77, 92, 93, 94, 95, 97, 114 and 115 which are extracted as under:*

*“49. In other words, by his request, the Ld. single judge encouraged these counsels to come forward and complain to him even in relation to a matter not in the Cause List of the day.”*

*“55. At least in terms of the outward appearance of how the hearing went on that, and subsequent days.”*

*“77. It is settled law that, in India, a Judge is no ‘knight*

*errant', pursuing adventures which, when viewed by him by his own personal Code, are of personal interest to him."*

*"92. The transcript of SCA No. 11679 of 2024 reveals that some manner that is somewhat similar to a 'knight errant' referred to by the Hon'ble Supreme Court in various judgements, the Ld. single judge adjudicating SCA No. 11679 2024, for reasons best known to himself, has taken it upon his own shoulders to take action on the email dated 08-01-2024 addressed by counsel for the Petitioner to Head of Office (NCLT-Ahmedabad) despite the fact that Hon'ble NCLAT, as well as Hon'ble NCLT as well as the Hon'ble Delhi High Court have not deemed it fit that any action is warranted on the aforesaid email, as it was not a 'private communication of any kind, but was transmitted in exercise of his right of counsel under Rule 1 of the Bar Council Rules, and, moreover, was drafted and sent on the express request / direction of Head of Office, NCLT (Ahmedabad)."*

*"93. Yet, the Ld. single judge, proceeding on the premise that there are no letters on his powers, has repeatedly said in open Court that he is indifferent to whether, and why, Hon'ble NCLAT and Hon'ble NCLT and Hon'ble Delhi High Court have not taken action, but he most certainly will take action."*

*"94. It may be borne in mind that this is the same-Ld. single judge who has many matters on his board for the day, but which cannot be adjudicated for want of time."*

*"95. Yet, he has spent, from 30-09-2024 to 21-10-2024, around 10 hours of precious Judicial time adjudicating SCA No. 11679 2024 predominantly on the question of the email dated 08-01- 2024, when he couldn't dispose of around 60-100 matters in the same time period."*

*"97. Any person of average reason may be forgiven for drawing an inference from the following extract of the transcript of the hearing held on 08-10-2024 that the Ld. single judge perhaps has some interest in taking action against the counsel for the Petitioner from material outside, or*

*not immediately visible/ discernible to the general members of the public from, the judicial record before him (be that as it may):”*

*“114. PRIVATE COMMUNICATIONS: From the transcript of the hearing of SCA No. 11679 of 2024 held on 08-08-2024 (which was before a different Id. Single Judge, who subsequently recused from hearing the matter on 02-09-2024, but then, after her recusal being pronounced in open court on 02-09-2024, also extended her own ex parte stay granted on 08-08-2024. even-though she had already adopted the stand that in her view, she stood disqualified to impartially adjudicate the matter any further) any person not acquainted with the facts of the case and the individuals involved may be forgiven for jumping to the (hopefully-erronous) conclusion that there has been some sort of private communication between the learned senior counsel arguing the matter (who is reported to enjoy a fairly good professional reputation) and the Hon'ble Judge adjudicating the matter prior to the hearing and/or outside the court. This error of inference could arise from the following words exchanged between them on 08-08- 2024 (be that as it may) :*

*02:30:06 HON'BLE JUDGE: Yes. So outside the court, you said. when you say that few facts.....*

*02:30:09 Sr. Adv. Mihir Thakore: Well, I think it should be over in five minutes. I don't think it'll. Now Your Lordship, would...*

*02:30:13 HON'BLE JUDGE: This is the recall of the?”*

*“115. That this exchange between the Ld. single judge and Ld. senior counsel can be very easily verified by this Hon'ble Court from verifying the YouTube video of the hearing on SCA No. 11679 of 2024 held on 08-08-2024, this practice of reviewing YouTube videos of the Hon'ble High Court of Gujarat having been resorted to by no less than the Hon'ble Supreme Court while adjudicating a case coming before it from the Hon'ble High Court of Gujarat, in the case of Ratilal Jhaveribhai Parmar & Ors. vs. State of Gujarat & Ors (Civil*

*Appeal No 11,000 of 2024 decided on 21-10-2024).*”

3. At our suggestion, the respondent No.1 has also filed an affidavit of apology. Though, this apology is a bit lengthy and at times seeks to justify his conduct, nevertheless, the fact remains that the respondent No.1 has expressed his genuine regret and remorse in making assertions which were wholly unnecessary. He has also accepted the fact that his contempt petition was basically directed against seven respondents mentioned therein and, therefore, there was no justification for making any assertions against the Judges who heard his matter.

4. Having regard to the unconditional apology given both yesterday and by way of an affidavit today, we are inclined to accept the same.

5. Learned Senior Counsel, Mr. Shalin Mehta, however, vociferously submitted that the apology submitted by the respondent was not bona fide and was required to be rejected. He sought to rely upon orders passed by the Delhi High Court and also by the Supreme Court, by which the respondent No.1 had already been sentenced. Shri Khosla responded by stating that the orders of contempt have either been stayed or set aside.

6. Be that as it may, we are satisfied that Shri Khosla has genuinely regretted the assertions that he had made in his application, which led to the initiation of the suo motu contempt proceedings.

7. It is also to be stated here that Shri Khosla, as a gesture of his remorse, has stated in his affidavit of undertaking, that he is voluntarily donating a sum of Rs. 1,00,000/- to Mangal Jivan Healthcare Private Limited, which is a hospital treating cancer patients.

8. In the light of the fact that he has voluntarily agreed to donate a sum of Rs.1,00,000/- as a gesture of remorse, we are also inclined to accept the unconditional apology given by him. The contempt proceedings are accordingly dropped, and the said demand draft of Rs. 1,00,000/- that is placed on record shall be made over to the Mangal Jivan Healthcare Private Limited through the Registry.

9. So far as respondent No.2 is concerned, it is forthcoming from the application that the assertions are made essentially on the legal advice of the respondent No.1. Since, the respondent No.1 has tendered his unconditional apology and the respondent No.2 has also tendered her apology, the same are accepted. The proceedings against respondent No.2 are also dropped.

10. All pending applications stands disposed of in view of the disposal of the main matter.

**(N.S.SANJAY GOWDA,J)**

**(J. L. ODEDRA, J)**

YASH ARORA