

ITEM NO.16

Virtual Court 3

SECTION XVII

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

SCM (CRL.) No. No(s). 1/2020

IN RE PRASHANT BHUSHAN & ANR.

Petitioner(s)

VERSUS

Respondent(s)

Date : 22-07-2020 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ARUN MISHRA
HON'BLE MR. JUSTICE B.R. GAVAI
HON'BLE MR. JUSTICE KRISHNA MURARI

For Petitioner(s) By Courts Motion, AOR

For Respondent(s) Mr. Sajjan Poovayya, Sr. Adv.
Mr. Manu Kulkarni, Adv.
Mr. Priyadarshi Banerjee, Adv.

UPON hearing the counsel the Court made the following
O R D E R

This petition was placed before us on the administrative side whether it should be listed for hearing or not as permission of the Attorney General for India has not been obtained by the petitioner to file this petition. After examining the matter on administrative side, we have directed the matter to be listed before the Court to pass appropriate orders. We have gone through the petition. We find that the tweet in question, made against the CJI, is to the following effect :-

"CJI rides a 50 Lakh motorcycle belonging to a BJP leader at Raj Bhavan Nagpur, without a mask or helmet, at a time when he keeps the SC in Lockdown mode denying citizens their fundamental right to access justice!"

Apart from that, another tweet has been published today in the

Times of India which was made by Shri Prashant Bhushan on June 27, 2020, when he tweeted, "When historians in future look back at the last 6 years to see how democracy has been destroyed in India even without a formal Emergency, they will particularly mark the role of the Supreme Court in this destruction, & more particularly the role of the last 4 CJIs."

We are, *prima facie*, of the view that the aforesaid statements on Twitter have brought the administration of justice in disrepute and are capable of undermining the dignity and authority of the Institution of Supreme Court in general and the office of the Chief Justice of India in particular, in the eyes of public at large.

We take *suo motu* cognizance of the aforesaid tweet also apart from the tweet quoted above and *suo motu* register the proceedings.

We issue notice to the Attorney General for India and to Mr. Prashant Bhushan, Advocate also.

Shri Sajan Poovayya, learned senior counsel has appeared along with Mr. Priyadarshi Banerjee and Mr. Manu Kulkarni, learned counsel appearing on behalf of the Twitter, and submitted that the Twitter Inc., California , USA is the correct description on which the tweets were made by Mr. Prashant Bhushan. Let the reply be also filed by them.

List on 05.08.2020.

(GULSHAN KUMAR ARORA)
AR-CUM-PS

(R.S. NARAYANAN)
COURT MASTER