

IN THE SUPREME COURT OF INDIA
(CRIMINAL ORIGINAL JURISDICTION)
SUO MOTO CONTEMPT (CRL.) NO. 1 OF 2020

IN THE MATTER OF:

IN RE:

VERSUS

PRASHANT BHUSHAN AND ANR.

.... ALLEGED
CONTEMNOR/
APPLICANT

**SUPPLEMENTARY STATEMENT BY PRASHANT
BHUSHAN, RESPONDENT NO. 1**

It is with deep regret that I read the order of this Hon'ble Court dated 20th of August. At the hearing the court asked me to take 2-3 days to reconsider the statement I made in the court. However, the order subsequently states: "*We have given time to the contemnor to submit unconditional apology, if he so desires.*"

I have never stood on ceremony when it comes to offering an apology for any mistake or wrongdoing on my part. It has been a privilege for me to have served this institution and bring several important public interest causes before it. I live with the realization that I have received from this institution much more than I have had the opportunity to give it. I cannot but have the highest regard for the institution of the Supreme Court.

I believe that the Supreme Court is the last bastion of hope for the protection of fundamental rights, the watchdog institutions and indeed for constitutional democracy itself. It has rightly been called the most powerful court in the democratic world, and often an exemplar for courts across the globe. Today in these troubling times, the hopes of the people of India vest in

this Court to ensure the rule of law and the Constitution and not an untrammelled rule of the executive.

This casts a duty, especially for an officer of this court like myself, to speak up, when I believe there is a deviation from its sterling record. Therefore I expressed myself in good faith, not to malign the Supreme Court or any particular Chief Justice, but to offer constructive criticism so that the court can arrest any drift away from its long-standing role as a guardian of the Constitution and custodian of peoples' rights.

My tweets represented this bonafide belief that I continue to hold. Public expression of these beliefs was I believe, in line with my higher obligations as a citizen and a loyal officer of this court. Therefore, an apology for expression of these beliefs, conditional or unconditional, would be insincere. An apology cannot be a mere incantation and any apology has to, as the court has itself put it, be sincerely made. This is especially so when I have made the statements bonafide and pleaded truths with full details, which have not been dealt with by the Court. If I retract a statement before this court that I otherwise believe to be true or offer an insincere apology, that in my eyes would amount to the contempt of my conscience and of an institution that I hold in highest esteem.

Filed by:



KAMINI JAISWAL

ADVOCATE FOR THE RESPONDENT NO. 1

Date: 24.08.2020
New Delhi