

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL CONTEMPT PETITION NO. 3 OF 2016
(P.K. Sharma, District Judge-3 and Additional Sessions
Judge, Latur Vs. B.B. Kulkarni, Advocate, District Court
Bar, Latur and another)

Mr. K.M. Babhulgaonkar, Advocate for respondent No. 1
Mr. K.S. Patil, A.P.P. for respondent No.2/State

CORAM : S.S. SHINDE AND
SANGITRAO S. PATIL, JJ.

DATE : 10th October, 2016

PER COURT :

Heard the learned counsel for respondent No. 1
— the contemnor. He submits that the contemnor is
repenting for what he has uttered before the then
District Judge-3 and Additional Sessions Judge, Latur,
which was contemptuous. He states that the contemnor
has expressed apology from the core of his heart for
making such contemptuous statement before the Court. He
further submits that the contemnor has filed an
affidavit to that effect expressing unconditional
apology and withdrawing his contemptuous statement. He
has further produced a copy of the letter dated 26th
September, 2016, annexed to the affidavit sworn in by
the contemnor, addressed to Shri P.K. Sharma, the then

District Judge-3 and Additional Sessions Judge, Latur expressing his unconditional apology. He, therefore, submits that the action for contempt against the contemnor may be withdrawn and he may be exonerated therefrom.

2. We have perused the affidavit of the contemnor. From the contents of the affidavit, it seems that he has expressed his unconditional apology for the contemptuous statement made by him in the Court of the then District Judge-3 and Additional Sessions Judge, Latur. The contemnor is repenting for what he has uttered before the then District Judge-3 and Additional Sessions Judge, Latur. He has sent his unconditional apology to the concerned Judge also alongwith his affidavit. Considering these facts on record, we are of the opinion that the apology expressed by the contemnor is genuine. In the circumstances, we expect that the contemnor shall not indulge in such contemptuous acts in future and think fit to withdraw the action proposed to be taken against him for the said contemptuous statement. The contempt reference/petition is accordingly disposed of. We direct the Registry of this Court to send the copy of

the letter dated 26th September, 2016 alongwith the affidavit annexed thereto, to the concerned Judge for information and record.

[SANGITRAO S. PATIL]
JUDGE

[S.S. SHINDE]
JUDGE

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