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

+ **CONT.CAS.(CRL) 1/2017**

COURT ON ITS OWN MOTION

..... Petitioner

Through Mr. J.P. Sengh, Senior Advocate
(Amicus Curiae)

versus

INDER SINGH SAROHA & ANR.

..... Respondents

Through Mr. A.S. Chandhiak, Senior Advocate
with Ms. Ramya Kutty, Mr. Surender
Chauhan, Mr. Praveen Dabas and Ms.
Dolly Sharma, Advocates along with
respondents in person

CORAM:

HON'BLE MR. JUSTICE SIDDHARTH MRIDUL

HON'BLE MS. JUSTICE SANGITA DHINGRA SEHGAL

ORDER

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26.11.2018

Mr. Inder Singh Saroha and Mr. Praveen Dabas, Advocates, respondents herein, have caused to be filed their affidavits dated 26.11.2018 and the same are taken on record.

It would be profitable to extract the identical statements made on their behalf in paragraphs 2 and 3 of their said affidavits and the same are reproduced hereinunder:

“2. That at the outset I state that I am an officer of this Hon’ble Court and I tender to this Hon’ble Court an assurance that there was no intent ever to bring disrespect or disregard to any Hon’ble Judge and the learned Metropolitan Magistrate Mr. Shirish Aggarwal and/or interfere in the purity of justice. The deponent has stood by the Rule of Law and would continue to do so in future. I as the member of the Bar undertake to

this Hon'ble Court that in future such incidents would not be repeated.

3. I reiterate my remorse over the incident and pray that this Hon'ble Court may kindly accept the same with my assurance and undertaking as stated above."

Before we proceed to accept the respondents' undertakings clearly and unequivocally spelt out in the above extracted paragraphs, it would be necessary to briefly allude to the backdrop in which the present proceeding for criminal contempt were initiated.

On the reference made by Mr. Shirish Aggarwal, Metropolitan Magistrate, North West Rohini Courts, Delhi and in terms of the recommendation of the committee of this Court dated 01.12.2016, duly approved by Hon'ble the Chief Justice, notice to Show Cause as to why contempt of Court proceedings be not initiated against the respondents, was issued to the latter on 13.01.2017.

Pursuant thereto, serious attempts were made on the directions of this Court to arrange a meeting with the Judicial Officer concerned on the one hand, and the alleged contemnors, who are former office bearers of the Rohini Court Bar Association, in order to effect an amicable settlement between the parties.

Although, the attempts at amicable resolution did not fructify, on account of factors we need not dwell upon, however, on the last date of hearing, a statement was made on behalf of the respondents to the effect that they wish to place on record, an affidavit expressing remorse *qua* the occurrence of the unsavoury incident.

It is subsequent upon the expression of remorse by the respondents, in terms of their present affidavits that, we are of the

view that the interest of upholding the majesty and dignity of the Court have been served.

In this behalf, we observe that the tone and tenor of the said affidavits, leaves no manner of doubt that the respondents have expressed unconditional remorse over the incident. It would be their endeavour, as members and office bearers, to ensure that such incidents are not repeated in the future.

We are also satisfied by their assurance that, at no stage whatsoever, was there any intention on their behalf to bring disrespect or disregard to any Judicial Officer. In view of the foregoing, we accept the expression of unconditional remorse on behalf of the respondents, whilst reminding them to hold steadfast to their assurance, as aforestated, henceforth.

Resultantly, the notice to Show Cause is hereby discharged. The present petition is disposed of accordingly.

Before we part with this order, we must express our gratitude to Mr. J.P. Sengh, learned Senior Counsel, who has ably assisted us as Amicus Curiae in the present proceeding.

A copy of this order be sent to the concerned District Judge for information and record.

SIDDHARTH MRIDUL, J

SANGITA DHINGRA SEHGAL, J

NOVEMBER 26, 2018/as