

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL REFERENCE NO.02 OF 2016

Joint Civil Judge, J.D. & J.M.F.C., Dahanu, Dist. Thane	...Appellant
vs.	
Roshani @ Sandhiya Sukhraj Bafna	...Respondent

Mrs. M.M. Deshmukh, APP for the Appellant
Mr. Ratnesh Dubey, for the Respondent.

**CORAM : INDRAJIT MAHANTY &
N.B. SURYAWANSHI, JJ.**

DATE : SEPTEMBER 05, 2019

P.C.:

. This Reference is registered on the basis of order dated 4th December, 2015 passed by the learned Magistrate at Dahanu wherein certain utterances by the Respondent in the open Court of the learned Magistrate were found contemptuous.

2. The Respondent was initially appearing party in person, however, subsequently, Mr. Ratnesh Dubey, the learned advocate was appointed by this Court through High Court Legal Aid Panel. He has filed reply.

3. Heard learned APP for the Appellant-State and Mr. Dubey, learned counsel for the Respondent.

4. At the outset, the learned Advocate for the Respondent has tendered unconditional apology. The Respondent has shown deep regret and repentance for her action and has undertaken to conduct the proceeding in orderly and decent manner. We were told at bar that the Respondent has taken up vocation of Yoga Teacher and she is also doing meditation. He submits that the Respondent was under severe depression during the relevant period due to health issues.

5. In the Reference, serious allegations are levelled against the Respondent. However, taking into consideration the unconditional apology and genuine repentance shown by the Respondent, so also the fact that after the date of the incident, subsequently, there are no complaints about the misbehaviour of the Respondent with the Judicial Officer, we are of the opinion that the Reference needs to be disposed of by accepting the unconditional apology. However, the Respondent is cautioned that henceforth she shall not indulge in similar acts in future and undertaking to that effect shall be filed in

this Court. On filing of such undertaking by the Respondent, the Reference stands disposed of.

(N.B. SURYAWANSHI, J.)

(INDRAJIT MAHANTY, J.)