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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL REFERENT NO.1 OF 2024

Tejashri Rajendra Gurav	]	..	Applicant
vs.			
Rakshal Lalit Ghag & Anr.	]	..	Respondents

Mr. J.P. Yagnik, APP for the State.

**CORAM : BHARATI DANGRE &
MANJUSHA DESHPANDE, JJ**

DATE : 2nd SEPTEMBER, 2024.

P.C.

1] The Reference from the 6th Joint Civil Judge Junior Division and Judicial Magistrate First Class, Ratnagiri, under Section 15(2) of the Contempt of Courts Act, 1971 against the Opponents Rakshal Lalit Ghag and Lalit Vishwas Ghag, is in the backdrop of a Facebook post dated 24.07.2023, to which the attention of the learned Judge was brought by her Peon.

The Application for Reference proceed to state that on 20.07.2023 a message was transmitted to her by the Peon that the Defendants wanted to meet her in the Chamber, which she denied, as the arguments advanced by the counsel for the Defendants were

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already over. However, since she could hear the ruckus outside her chamber, she took the dias at 6.10 p.m and attempted to pacify the Defendants, but she was unsuccessful, as they continued to be discourteous to the Court and even the Advocate did not make them aware of the decorum of proceedings in the Court

2] In the Facebook post, which was pointed to the learned Judge by her Peon, there is a specific reference to her and certain personal comments about her working are found. The end line of the Facebook post reads that, "Justice is in peril".

3] It is very difficult to verify the authenticity of this post after a gap of more than a year, as it is not clear in the Reference, whether the post still continue on the Facebook account of the Defendant.

The show cause notice was issued to Opponent Nos.1 and 2, but no response is received and this constrained the learned Judge to issue process against the Opponents for the offence punishable under Section 499 and 500 read with 34 of the IPC.

4] In the wake of above, since already the proceedings are initiated by the learned Judge, we do not deem it appropriate to entertain the Reference and decline the same.

[MANJUSHA DESHPANDE, J]

[BHARATI DANGRE, J]