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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL REFERENT NO.2 OF 2024

Kiran Rangrao Deshpande	]	..	Petitioner
vs.			
Sandesh Ankush Kadu	]	..	Respondent

Mr. S.V. Gavand, APP for the State.

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

DATE : 2nd SEPTEMBER, 2024.

P.C.

1] The Civil Judge, Senior Division, Palghar, has made a Reference under Section 15(2) of the Contempt of Courts Act, 1971, for initiating action against the Respondent, a Reporter and Defendant in Special Civil Suit No. 27/2013, pending before Court.

On 18.10.2022, the Respondent preferred an Application to the Court for setting aside the 'No-cross' order in the backdrop of the happenings which were narrated by him.

According to the Application, when his lawyer informed that he would be reaching the Court little late and he approached the Court and informed his difficulty, he was insulted by the learned Judge and a

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‘No Cross’ order was passed, which he prayed to set aside by preferring the Application (Exh.88).

The learned Judge, who has made the Reference has referred to his past conduct and on noting that he is habitual, in causing obstruction in judicial process and making false allegations against the Judicial Officers working in Palghar, issued show cause notice against him. Reference is also made to several other applications which according to the learned Judge has amounted to creating pressure, obstructing the working administration of the justice, causing delay in the matter, making false allegations and resultantly, showing no respect to the judicial officers, and these activities are intended to harass the Judicial Officers with ulterior motive.

2] We have perused the order of Reference as well as the Application and since ‘No cross’ order was not ever passed, as narrated by the learned Judge, and since the Reference is also made in the backdrop of Exh.88, the general conduct of the Respondent, in our opinion cannot be construed as contemptuous, without any material being placed before us.

In the wake of this, we are not inclined to entertain the Reference and the same is declined.

[MANJUSHA DESHPANDE, J]

[BHARATI DANGRE, J]