



\$~7 & 9

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

+ **W.P.(CRL) 1213/2024**

SANJEEV KUMAR

.....Petitioner

Through: Mr. Sanjeev Kumar, Petitioner in person.

versus

STATE OF NCT OF DELHI

.....Respondent

Through: Mr. Varun Goswami, Amicus Curiae
Mr. Hritik Chaudhary, Mr. Sahil Agarwal and Mr. Rajesh Singh, Advs.
Mr. Aman Usman, APP.
Inspector Surender, SI Dharm Singh.
PS Hauz Khas.

9

AND

+ **W.P.(CRL) 1894/2024, CRL.M.A. 21326/2024, 21327/2024 & 33223/2024**

SANJEEV KUMAR

.....Petitioner

Through: Mr. Sanjeev Kumar, Petitioner in person.

versus

STATE OF NCT OF DELHI AND ANR

.....Respondents

Through: Mr. Varun Goswami, Amicus Curiae
Mr. Hritik Chaudhary, Mr. Sahil Agarwal and Mr. Rajesh Singh, Advs.
Mr. Aman Usman, APP.
Inspector Surender, SI Dharm Singh.
PS Hauz Khas.



CORAM:
JUSTICE PRATHIBA M. SINGH
JUSTICE AMIT SHARMA

ORDER
% **06.11.2024**

1. This hearing has been done through hybrid mode.
2. These two writ petitions were transferred to this Court, *vide* order dated 6th August, 2024, in ***Crl.A. 171/2022***, as this Court was already hearing the ***CONT. CAS. (CRL) 5/2024*** against the Petitioner herein. The said order dated 6th August, 2024, reads as under:

“ 4. Considering the nature of allegations being made by the Contemnor against different Hon’ble Judges of this Court, it is deemed appropriate to transfer all the matters to this Court, involving the Appellant, which are listed in paragraph 8 of the above stated order. The same are set out below:

- i) **CRL.A.No.160/2023;***
- ii) **CRL.M.C.No.4315/2023;***
- iii) **W.P.(CRL)No.1894/2024;***
- iv) **W.P.(CRL) No.1213/2024;***
- v) **W.P.(CRL) No.1241/2024;***

*5. Accordingly, list the aforesaid five matters with the main contempt matter being **CONT.CAS.(Crl.) No. 05/2024**, which is listed on 26th September, 2024, before this Bench, subject to orders of Hon’ble the Acting Chief Justice.”*

W.P.(CRL) 1213/2024

3. This is a petition under Article 226 and 227 of the Constitution of India read with Section 482 of CrPC seeking a direction for expeditious hearing of ***CT Case No. 1248/2023*** before the Id. Metropolitan Magistrate, South-East,



Saket Courts.

4. The said complaint has been finally disposed of *vide* order dated 25th September, 2024 by the Id. JMFC, South-East, Saket Courts.

5. In view of the above, the present writ petition has now become infructuous and is accordingly disposed of.

6. Pending applications, if any, are also disposed of.

W.P.(CRL) 1894/2024, CRL.M.A. 21326/2024, 21327/2024 & 33223/2024

7. This is a petition under Article 226 of the Constitution of India read with section 482 of CrPC challenging the impugned order dated 23rd January, 2024, passed in ***CRL. M.C. 545/2024*** by the Id. Single Judge of this Court.

8. *Vide* the impugned order the said criminal miscellaneous petition has been dismissed by the Id. Single Judge with costs of Rs. 25,000/- to be paid to Delhi High Court Legal Services Committee.

9. It is noted that the Petitioner had also preferred a review being ***Review Petition 120/2024*** against the said order dated 23rd January, 2024. *Vide* order dated 15th May, 2024 the Id. Single Judge, while considering the actions and statements of Petitioner during the course of the hearings, directed proceedings for criminal contempt against the Petitioner. Accordingly, the criminal contempt proceedings in ***CONT. CAS. (CRL) 5/2024*** have been initiated. In the said petition, the Petitioner has been convicted for criminal contempt and has been sentenced to four months imprisonment. The operative portion of the said order reads as under:

“27. Under such circumstances, this Court is of the opinion that the Contemnor is guilty of criminal contempt and would be liable to be punished in accordance with law.

28. During the course of the pronouncement of the order



in open Court, the Court gave the contemnor an opportunity to make his submissions on sentence. The Contemnor has simply made a submission that it is up to the Court to pass whatever sentence the Court deems appropriate. Under such circumstances, in view of the contemptuous conduct of the Contemnor, the Court sentences him to simple imprisonment for a period of 4 months with fine of Rs. 2,000/- and in default of payment of fine, further simple imprisonment for 15 days.

29. It is directed that the police authorities shall take Contemnor into custody from the Court itself and the Contemnor be sent to Jail.”

10. In the present writ the prayer is for setting aside the order dated 23rd January 2024, which has been upheld by this Court in **CONT. CAS. (CRL) 5/2024**. The reasoning given in the said judgement would also apply to the present order. This Court does not find any infirmity in the order dated 23rd January 2024. Moreover, a writ petition challenging an order of the Id. Single Judge is itself not maintainable. Accordingly, no further orders are called for in the present petition.

11. Accordingly, **W.P.(CRL) 1894/2024** is disposed of.

12. Pending applications, if any, are also disposed of.

PRATHIBA M. SINGH, J.

AMIT SHARMA, J.

NOVEMBER 06, 2024

dj/ms