



\$~75

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

% **Date of decision: 27th August, 2024**

+ **CONT.CAS(C) 1338/2024**

RAHUL NARULA

.....Petitioner

Through: Mr. Pritam Bishwas, Adv.
alongwith petitioner in person

versus

UNION OF INDIA & ORS.

.....Respondents

Through: Mr. Vineet Dhanda, CGSC with
Mr. Kartik K. Sood, Mr.
Abhishrut Singh and Mr.
Rishabh Jain, Advs. for R-
1/UOI
Mr. Vikram Chandravanshi and
Mr. Bhavesh Tomar, Advs. for
R-2/AWBI

CORAM:

HON'BLE MR. JUSTICE DHARMESH SHARMA

DHARMESH SHARMA, J. (ORAL)

CM APPL. 48738/2024 (Ex.)

1. Allowed, subject to all just exceptions.
2. The application stands disposed of.

CONT.CAS(C) 1338/2024

3. The petitioner, who is a practicing lawyer, is seeking initiation of contempt proceedings against the respondents for alleged wilful disobedience of the directions of this Court contained in the judgment dated 12.02.2024 passed in W.P.(CrI.) 485/2024.



4. Nobody appeared for the respondents No. 1 and 2 when the matter was taken up for hearing. However, later on appearance has been filed by learned counsels for respondents No. 1 and 2.

5. None appeared on behalf of respondents No. 3 and 4, despite sending advance notice.

6. A Division Bench of this Court *vide* order dated 12.02.204, on a petition moved by the petitioner challenging the constitutional validity of Section 23 of the Prevention of Cruelty to Animals Act, 1960¹ in the backdrop of a newspaper report dated 13.01.2024 in the 'Economic Times' with regard to use of animals in the wedding of the son of a leading industrialist passed the following directions:-

“18. We find that the present petition has been filed purely on the apprehension that some injury or ill-treatment may be caused to the animals during the events scheduled on 01.03.2024 to 03.03.2024. Such sort of petition cannot be entertained simply on the basis of apprehension.

19. Since a High Powered Committee has already been constituted after the directions passed by Hon'ble Tripura High Court in the case of *Sudipa Nath (supra)*, therefore, the said Committee is at liberty to be present and oversee the aforesaid event and to take all cautions permissible under law, if any, to ensure that no inhumane behaviour is caused to the animals.

20. In view of above, the present petition and pending application are disposed of.

21. It is made clear that either HPC may depute any of its member to oversee the event scheduled from 01.03.2024 to 03.02.2024 or HPC may go itself to oversee the aforesaid event.”

7. The petitioner has urged that despite the aforesaid directions, inhumane treatment was meted out to animals by respondents No. 3 and 4 in the event that was scheduled on 01.03.2024 to 03.03.2024. The basis of such plea appears to be the newspaper article dated

¹ PCA



20.03.2024 titled 'The costs of Reliance's wildlife ambitions' published on an online platform known as Himal Southasian. It is pertinent to mention that the petitioner is alleging contempt not only by the private respondent but also by the Chairperson and office bearers of the HPC². The petitioner has urged that there has been committed a wide range of illegalities by the respondent entities who have been In-charge of the animals, again drawing misplaced inspiration from the aforesaid articles as well as pictorial presentations reflected in Annexure P-3 from page Nos. 50 to 101 of the digital record.

8. On a meticulous perusal of the order dated 14.02.2024, this Court finds no cause of action or foundation so as to *prima facie* find commission of any inhumane or cruel treatment meted out to the animals by respondents No. 3 and 4. Even the purported article, the narrative of which has been placed on the record does not *ipso facto* lead to an inference that any illegal, sordid or wanton acts of cruelty to the animals were found to have been undertaken on the part of respondents No. 3 and 4 through the course of the wedding event which was organized on the aforesaid dates.

9. It would not be out of place to point out that the Supreme Court in the case **Samant and Bal Krishna v. Geroje Fernades**³ as well as **Laxmi Raj Sethi v. State of Tamil Nadu**⁴ has categorically emphasized that newspaper reports cannot afford a ground for taking cognizance in law, which reports are merely hearsay, and unreliable

² High-Powered Committee

³ (1969) 3SCC 238

⁴ (1988) 3SCC 319



unless and until proved by certain legally admissible cogent material.

10. Evidently, on a *prima-facie* perusal of the report of Himal Southasian dated 20.03.2024 appears to have all the trappings of sensationalism in journalism. The headline of the article, its narrative and the layout chosen for the article i.e., large and enhanced photos, flashy colours and use of morphed photos, seem to be an attempt to attract the attention of the audience. It is unfortunate that the article further comprises innuendos towards the HPC as well as statutory authorities. Incidentally, on being asked, the petitioner acknowledged during the course of hearing that he has not made any attempt to seek ground details independent of the newspaper report, nor has he instituted any RTI⁵ or collect any evidence.

11. Unhesitatingly, this Court finds that neither the contents of the article nor the excerpts of the documents as well as material from social media vested in the article constitutes cogent or legally cognizable material. The newspaper article itself reveals that in the course of developing the story, the writer had met several people and this is one of the reasons why the Supreme Court in *Samant* and *Bal Krishna (supra)* cautioned the Courts against relying on such reports.

12. Before parting with this misguided and ill-conceived petition, it can be clearly made out that the allegation levelled against the HPC in not carrying its task, which has been constituted by the Tripura High Court and its remit extended by the Supreme Court of India, are utterly in bad taste, unsavoury and unpalatable. The petitioner has been warned to be careful before making such scandalous allegations

⁵ Right to Information Act



against the HPC which is chaired by a former Judge of the Supreme Court besides other experts and senior officers by designation.

13. In the end, although this is a fit case where the present petition be dismissed with exemplary costs upon the petitioner, however, since he is a practicing advocate, he is impressed upon to desist from filing such frivolous petitions in the future.

14. Accordingly, the present Contempt Petition is dismissed.

DHARMESH SHARMA, J.

AUGUST 27, 2024

sp