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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**
+ **CONT.CAS.(CRL) 6/2025**

COURT ON ITS OWN MOTIONPetitioner

Through:

versus

DEVENDER GUPTA AND ANR.Respondents

Through: Respondents in person.
Mr. Sudhir Arora, Victim

CORAM:
HON'BLE MR. JUSTICE VIVEK CHAUDHARY
HON'BLE MS. JUSTICE SHALINDER KAUR

ORDER

% **11.08.2025**

1. This proceeding emanates from a reference dated 02.04.2025, addressed by the learned Judicial Magistrate First Class, West District, Tis Hazari Courts, (JMFC) to the learned Registrar General of this Court, through the learned Principal District and Sessions Judge, West, for initiation of proceedings under the Contempt of Courts Act, 1971 ("the Act") against the respondents. The reference alleges that the respondents, by their words and conduct in open court, lowered the authority of the court and obstructed the administration of justice.

2. The backdrop, shorn of superfluities, is thus. In Criminal Case No. 68054/2016, arising from FIR No. 322/2013 registered at Police Station Rajouri Garden, the matter was listed on 02.04.2025 before the learned JMFC for hearing on the point of sentence. At that hearing,



the respondent Devender Gupta commenced hurling abusive words in open court when the learned JMFC began dictating the order. The respondent Hari Prakash Gupta, for his part, loudly shouted, coupled with further abuse directed at both the court and the complainant. It is further recorded that Devender Gupta proceeded to use his mobile phone during the proceedings and was cautioned against doing so in future.

3. The relevant portion of the Order dated 02.04.2025 is reproduced as under:-

"xxxxxx

This is to bring your kind notice that today i.e. 02.04.2025, during the hearing of a matter titled State Vs. Davinder Kumar, bearing Cr. Case No.68054/2016, arising out of FIR No.322/13, PS Rajouri Garden, convict Devender Gupta and Hari Prakash Gupta abused the court and the complainant in open court. The details of the actions of both the convicts during the hearing have been mentioned at length in the ordersheet and same squarely fall within the definition of 'Criminal Contempt' under The Contempt of Courts Act.

Please find enclosed herein the relevant order with a request to initiate appropriate proceedings under The Contempt of Courts Act against convicts - Devender Gupta and Hari Prakash Gupta,

xxxxxxx"

The relevant portion of the order dated 02.04.2025 is reproduced as under:-

"xxxxxxx

At this stage, convict Devender Gupta has started using abusive words in court. He has referred to the court as "Behenchod". Convict Devender Gupta has been warned to not use abusive language in the court and that his



conduct will be recorded in the ordersheet. When the court started dictating its order, he started saying "Likhwata reh jo likhwana hai" At this stage, convict Hari Prakash Gupta has started shouting "God will punish you" he is now abusing the court as well as the complainant by using the words "Behenchod" and "Sala".

4. Thereupon, the learned JMFC forwarded his request dated 02.04.2025 for initiating proceedings under the Act through learned Principal District and Sessions Judge, Tis Hazari Courts to learned Registrar General, High Court of Delhi. Accordingly, based on the material placed on the record and the specific language and conduct detailed in the Order sheet dated 02.04.2025, being a part of the reference, the contempt reference was placed before this Court for further proceedings in accordance with law.

5. We have heard the complainant in FIR No.322/2013, Mr. Sudhir Arora, as well as the respondents. The complainant has drawn our attention to what he describes as a consistent pattern of derogatory conduct by the respondents across multiple litigations between the parties, which, according to him, has attracted warnings from courts on earlier occasions.

6. The respondents, appearing before us, have, however, sought to atone. With folded hands, they have tendered an unconditional apology, owning their lapse, and expressing genuine remorse for the incident in the court of the learned JMFC. They have affirmed, in no uncertain terms, that they had no intention to demean the dignity or authority of any court, and that they would maintain decorum in all future appearance before any Court. This sentiment is reiterated in



affidavits filed by both respondents, which record their unconditional, voluntary, and good-faith apology, tendered with utmost respect to the Court.

7. Both the respondents further pray for forgiveness, submitting that they are senior citizens and respondent Hari Prakash Gupta is 91 years of age and suffers from 43% permanent physical impairment in relation to his left lower limb. In view thereof, the respondents have prayed for discharge and for dropping the contempt of court proceedings against them.

8. In view the submissions made by the respondents, their affidavits tendering an unconditional apology, their repeated undertakings given before this Court stating that they will maintain the respect and decorum in the Court in future and keeping in view the age of the respondents, the unconditional apology tendered by the respondents is, accordingly, accepted.

9. Before parting, it is necessary to remind the respondents that the language used in a Court of law is not a matter of choice or casualness, but one of unqualified propriety. Words that demean, insult or scandalize the Court have repercussions not merely for the dignity of the institution, but for the administration of justice itself. The respondents have been expressly warned in open Court that while they are being let off on this occasion in view of their apology and mitigating circumstances, any repetition of such conduct, in any Court, will invite the sternest action permissible in law.

10. The respondents are discharged from the present proceedings, with a clear caveat that any recurrence of such conduct in the future



would be viewed with the utmost severity, uninfluenced by the present Order.

11. The present petition is, accordingly, disposed of.

VIVEK CHAUDHARY, J

SHALINDER KAUR, J

AUGUST 11, 2025/SU/F