IN THE HIGH COURT OF JHARKHAND AT RANCHI

Cont. (Criminal) No. 02 of 2026

Court on its Own Motion

Versus

1. Manmath Ram, Advocate
2. Abhay Kumar, Advocate ….. Opp. Parties

CORAM

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE RAJESH SHANKAR

For the O.P. No. 1: Ms. Karishma Kumari, Advocate

For the O.P. No. 2: Mr. S.K. Vishwakarma, Advocate

04/21.09.2026

1. Heard Ms Karishma Kumari, Advocate, appearing for the opposite party No. 1, and Mr S.K. Vishwakarma, Advocate, appearing for the opposite party No. 2, in this contempt reference under Section 15(2) of the Contempt of Courts Act, 1971.

2. Learned Judicial Magistrate, who has made this reference under Section 15(2) of the said Act, issued process under Sections 115, 334(3), 126(2), 329(3), 352 & 3(5) of the Bharatiya Nyaya Sanhita, 2023, inter alia, to the opposite party No. 1 and some others in Complaint Case No. 87 of 2024.

3. The opposite parties are incidentally advocates practising in this Court. At the instructions of opposite party No. 1, opposite party No. 2 caused a legal notice to be issued personally to the learned Judicial Magistrate. This notice was stated to be issued under Section 80 of the C.P.C., threatening the learned Judicial Magistrate with an action for defamation. The legal notice alleged that the judicial officer's conduct was unethical, that he was an enemy of a party, that judicial orders were passed out of personal ego and so forth.

4. Addressing such a legal notice, followed by threats of action, to a Judicial Officer would amount to direct interference with the Administration of Justice and, therefore, prima facie constitute contempt of Court within the meaning of Section 2(c) of the Contempt of Courts Act, 1971.

5. If the opposite party No. 1 was aggrieved by the process issued to him in Complaint Case No. 87 of 2024, it was surely open to him to take legal recourse against the order issuing process. But addressing a legal notice personally to a Judicial Officer in language that was far from civil is not acceptable. The allegations were patently reckless and made without any sense of responsibility.

6. In these proceedings, there was no denial, and in fact, there was no question of denial because a written notice purportedly under Section 80 of the C.P.C. was issued to a Judicial Officer containing reckless allegations, perhaps intended to intimidate the young Judicial Officers.

7. The opposite parties apologised before this Court for their actions and conduct after they were served with the notices in these proceedings.

8. On 20.07.2026, we passed the following order:

> "1. Pursuant to notice dated 8th June, 2026, Mr. Manmath Ram has appeared in this Court, in person.
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> 2. Mr. S.K. Vishwakarma, learned counsel, appears on behalf of Mr. Abhay Kumar and states that Mr. Abhay Kumar is unwell and therefore unable to attend the Court.
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> 3. Mr. Manmath Ram, who is present in the Court, submits that he wishes to tender his unconditional apology in this matter. Similarly, Mr. S.K. Vishwakarma, the learned counsel for Mr. Abhay Kumar, on instructions, states that Mr. Abhay Kumar also wishes to tender his unconditional apology to the Court.

> 4. Before we consider the apologies, we think that it would be appropriate if the Advocates who are alleged to have committed the contempt of the Court of Mr. Amit Akash Sinha, Judicial Magistrate 1st Class, Civil Court, Khunti, file affidavits before the said judge tendering their apologies on affidavits and withdrawing the legal notice sent to the learned judge.
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> 5. If and once that is done, an affidavit could be filed before this Court containing their apologies.
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> 6. Mr. Manmath Ram states that necessary affidavit will be filed before Mr. Amit Akash Sinha, Judicial Magistrate 1st Class, Civil Court, Khunti within two weeks from today. Mr. Vishwakarma, learned counsel for Mr. Abhay Kumar states that similar affidavit will be filed by Mr. Abhay Kumar before Mr. Amit Akash Sinha, Judicial Magistrate 1st Class, Civil Court, Khunti within two weeks from today.
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> 7. Mr. Manmath Ram and Mr. Vishwakarma states that necessary affidavits would be filed before this Court enclosing copies of the affidavits filed before Mr. Amit Akash Sinha, Judicial Magistrate 1st Class, Civil Court, Khunti within a week thereafter.
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> 8. List the matter on 12th August, 2026 at 2:15 p.m. for further orders."

9. Pursuant to the above order, the opposite parties have filed affidavits before the concerned Judicial Officer in which they have tendered their unconditional apologies. The opposite parties have also filed affidavits before us enclosing the affidavits containing the apologies made to the Judicial Officer.

10. Besides, learned counsel appearing on behalf of the opposite parties have submitted that the opposite party No. 1 is aged about 77 years and is suffering from some ailments. Moreover, the opposite party No. 2 is also suffering from some ailments. They have submitted that both opposite parties are duly repentant of their actions and have assured that hereafter they will not embark upon such misadventures by threatening or intimidating Judges for discharging their judicial duties.

11. Mr. S.K. Vishwakarma submits that he personally accompanied the opposite parties to the chamber of the concerned Judicial Officer where they tendered their apologies and the Judicial Officer directed that such apologies be filed with the Bench Clerk. Learned counsel urged that we should also take a lenient view of the matter and forgive the opposite parties now as they have apologised and assured the Court that such incident will not be repeated.

12. Whilst we are satisfied that the actions of the opposite parties amount to undue interference with the administration of justice, and consequently constitute Contempt of Court, and being mindful of the principle that justice is to be tempered with mercy, we rely upon the submissions made by the opposite parties and their counsel that such an incident will not be repeated hereafter. Accordingly, we discharge the contempt notices issued to the opposite parties.

13. The learned JMFC has handled the entire episode with fortitude. Though he was naturally affected by the unwarranted acts of the opposite parties, his reaction was not disproportionate. Now that the opposite parties have tendered their unconditional apologies to the learned JMFC and to this Court, with assurances that such acts will not be repeated in future, we wish to close the matter by accepting such apologies and assurances. The advanced age of the opposite party no. 1 and the young age of the opposite party no. 2, coupled with the ailments they are stated to be afflicted with, are additional considerations that persuade us to drop these proceedings.

14. We accept the unconditional apologies tendered by the opposite parties and discharge the contempt notices issued to the opposite parties. This reference is disposed of on the above terms without any order as to costs.

(M. S. SONAK, C.J.)

(RAJESH SHANKAR, J.)

21.09.2026
Satish/Vikas/