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

+ **CRL.C.REF. 1/2021**

COURT ON ITS OWN MOTION

..... Petitioner

Through:

Versus

RANJEET SINGH MALHOTRA

..... Respondent

Through: In person with Ms. Punya Rekha
Angara and Mr. Mueed Shah,
Advocates for Mr. N. Hariharan,
Senior Advocate (Amicus Curiae)

CORAM:

HON'BLE MR. JUSTICE SURESH KUMAR KAIT

HON'BLE MR. JUSTICE MANOJ JAIN

ORDER

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20.05.2024

1. The present Criminal Contempt Reference was registered consequent upon receipt of Letter dated 03.04.2021 by Sh. Ankur Jain, Additional District and Sessions Judge, Officer In-charge, Judicial Branch (Central), for Principal District & Sessions Judge (Headquarters), Delhi on contempt reference dated 22.03.2021 forwarded by Sh. Hem Raj, learned Additional District Judge, Tis Hazari Courts, Delhi.

2. Sh. Hem Raj, learned Additional District Judge vide Letter dated 22.03.2021, in the matter of RCA No. 27/2015 (New No. 61068/2016) titled ***Inder Sain vs. Smt. Taro Devi and others*** made the following reference:-



“ When the court was hearing the matter one Sikh Advocate came in the Court and started talking to one fellow standing in the Court in a high volume. The Court asked him to wait as the Court was hearing the matter to which the advocate furiously in the high tone addressed the Court that it is the duty of the Court to wait for him as Court is meant for that only. When the Court asked him to lower down his volume, he did not do so but shouted at the Court in the presence of the Advocates arguing the matter that he has been practicing in the courts for the last 45 years and and at least ten of his juniors have become judges in the lower Courts and some in the Hon'ble High Court. Again when the Court advised him to mind his choice of words, he then addressed the Court as 'Tu' and further said ki 'Dimag mat khrah kar'. He introduced himself as 'Ranjeet Singh Malhotra' and stated that he is not afraid of anything.

Thereafter, the Court asked him to mellow down but he started talking to that fellow in a very high volume to which the Court again has to ask him to behave properly. He was saying to that fellow that he send him to check about the time of his case listed for tomorrow and why he did not come to his seat. But the advocate still did not mend his ways and started talking in a loud volume. Then the Court said to him that his behaviour and conduct will be brought to the notice of the Hon'ble High Court. Thereafter, the Advocate sat down on the chair and when Court started dictating this order he stood up and said ‘Jo karna hai kar liyo, main jaa raha hoon’.



At the outset, I must put up on record the pain and anguish of mine as to the way the Advocate behaved. The behaviour of the Advocate was utterly to bring the reputation of the Court lower in the eyes of Advocates and general public sitting in the Court. This is nothing but amounts to contempt of Court. I wish there was an audio video facility in the Court so that his behavior could have been captured instantly. Still, I am not able to understand actually what led him to create this ruckus and seen in the Court. Advocates like him only bring the legal professions to dis-repute.

I recommend that contempt of court proceedings be initiated against him as there is no other solution to reign in such Advocate.”

3. Subsequent upon receipt of reference, this Court vide order dated 11.08.2021 directed learned Principal District & Sessions Judge (Headquarters), Delhi, to identify the alleged contemnor and to provide his details and particulars to enable this Court to proceed further.
4. On 09.11.2021, this Court was informed that Mr. Ranjeet Singh Malhotra, Advocate (Enrolment No. D/461/84, Mobile No. 9818361478) at Chamber No. 303, District Courts, Rohini, New Delhi; and at Seat No.26, Central Hall, near Canteen, Tis Hazari Courts, Delhi was the alleged contemnor and accordingly notice was issued to him for marking appearance before this Court.
5. Thereafter, letter dated 10.04.2023 from Principal District and Sessions Judge, West District, Tis Hazari Courts, Delhi was received along with



further complaints dated 01.04.2023 and 05.04.2023 by Mr. Hem Raj, Additional District Judge (Central District), Tis Hazari in respect of repetitive misbehaviour and raising voice by Mr. Ranjeet Singh, Advocate on 01.04.2023, while Mr. Hem Raj was sitting on dias and holding court.

6. On 31.10.2023, this Court directed personal appearance of respondent/contemnor. However, on 15.01.2024, learned counsel appearing on his behalf informed that the respondent/contemnor was unwell and, therefore, sought adjournment.

7. Even on the next date i.e. 07.03.2024, contemnor failed to appear before this Court and accordingly, bailable warrants were directed to be issued against him through SHO concerned.

8. Today, respondent/contemnor has appeared before this Court. Learned counsel appearing on his behalf has produced medical documents for perusal of this Court. These copies of various medical prescriptions viz. prescription dated 06.07.2010 from Ashray Psychiatric Clinic and Rehabilitation Home; prescription dated 02.02.2012, 17.04.2018, 10.06.2019, 24.07.2012 and 29.08.2017 from Institute of Human Behaviour and Allied Sciences (IHBAS); prescription dated 09.11.2017 from department of Dr. Rajendra Prasad Centre for Ophthalmic Sciences, All India Institute of Medical Sciences (AIIMS); prescription dated 26.06.2018 from Govind Ballabh Pant Institute; prescription dated 15.06.2018 from Deep Chand Bandhu Hospital, Ashok Vihar, Delhi. These suggest that he is undergoing treatment and is having behavioural issues.

9. Relevantly, petitioner is an Advocate by profession, who was enrolled in the year 1984. He is in his sixties. Being an Advocate by profession, respondent is expected to maintain the dignity of the Court.



10. The manner in which he made submission today before us confirms that he is suffering from acute behavioural issues and seems to get frustrated and annoyed for the reasons best known to him. In addition, he has reportedly very poor vision and unable to read and write. He does not even realize what to speak and how to speak.

11. Keeping in view the medical condition of the respondent/contemnor, we refrain ourselves in taking any coercive action against respondent-contemnor for the disrespect shown to the concerned court. We discharge him, albeit, with a word of caution that whenever he appears before any Court in any case or otherwise, he would maintain the decorum of the Court.

12. Before parting, also we direct the Registry to communicate this order to the Bar Council of Delhi, who shall direct the respondent/contemnor to appear before the Council and assess whether he is fit to continue in this profession.

13. With directions, as aforesaid, the present petition is accordingly disposed of.

SURESH KUMAR KAIT, J

MANOJ JAIN, J

MAY 20, 2024/uk