

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 11TH DAY OF DECEMBER, 2025

PRESENT

THE HON'BLE MRS. JUSTICE ANU SIVARAMAN

AND

THE HON'BLE MR. JUSTICE VIJAYKUMAR A. PATIL

CRIMINAL CONTEMPT PETITION NO.7 OF 2018

BETWEEN:

INDIAN INSTITUTE OF ASTROPHYSICS

A SOCIETY REGISTERED UNDER THE

PROVISIONS OF SOCIETIES

REGISTRATION ACT, 1860

HAVING ITS HEAD OFFICE AT

SARJAPUR ROAD

KORAMANGALA II BLOCK

BENGALURU-560 034

REPRESENTED HEREIN BY

ITS ADMINISTRATIVE OFFICER

MR. SHRIPATHI K.

... COMPLAINANT

(BY SRI. SYED KASHIF, ADVOCATE FOR

SRI. PRADEEP S. SAWKAR, AND

SRI. B. RAVINDRANANTH, AMICUS CURIAE)

AND:

K. DHANANJAY

S/O LATE K. KRISHNAPPA

AGED ABOUT 44 YEARS
No.19. (OLD No.48)
8TH CROSS, 12TH MAIN
RAGHAVENDRA BLOCK
SRINAGAR
BENGLAURU-560 050

...ACCUSED

(BY SRI. K. DHANANJAY- (PARTY IN PERSON))

THIS CRL. CCC IS FILED UNDER SECTION 15(1)(b) OF THE CONTEMPT OF COURTS ACT, 1971 BY THE ADVOCATE FOR THE COMPLAINANT PRAYING THAT THIS HON'BLE COURT MAY BE PLEASED TO HOLD THE ACCUSED GUILTY OF CRIMINAL CONTEMPT AND PUNISH HIM WITH SIMPLE IMPRISONMENT UPTO 6 MONTHS TOGETHER WITH FINE.

THIS CRL.CCC HAVING BEEN HEARD AND RESERVED FOR JUDGMENT ON 27.10.2025 AND COMING ON FOR PRONOUNCEMENT OF JUDGMENT THIS DAY, **ANU SIVARAMAN J.**, PRONOUNCED THE FOLLOWING:

CORAM: HON'BLE MRS. JUSTICE ANU SIVARAMAN
and
HON'BLE MR. JUSTICE VIJAYKUMAR A. PATIL

CAV JUDGMENT**(PER: HON'BLE MRS. JUSTICE ANU SIVARAMAN)**

The Criminal Contempt Case No.7/2018 has been filed pursuant to a complaint and Consent Application No.9/2018 filed by the Complainant. The learned Advocate General by order dated 16.07.2023, granted consent to initiate criminal contempt proceedings against the accused on the ground that he had repeatedly made false, reckless, scurrilous, and unsubstantiated allegations against Members of the Central Administrative Tribunal ('CAT' for short) and Judges of the Karnataka High Court in multiple proceedings and representations. The allegations made by the accused, which had also been noticed by the CAT in earlier *suo motu* contempt proceedings, were found to be baseless and intended to cast aspersions on judicial officers, thereby amounting to gross contempt and undermining the authority of the courts.

2. The consent granted by the Advocate General for Karnataka, Bengaluru was challenged in Writ Petition

No.60/2020 and connected matters, which was dismissed as withdrawn by the learned Single Judge on 29.11.2021. Thereafter, notice was issued to the accused in the Criminal Contempt and his pleadings were placed on record.

3. In the memorandum of objections filed by the accused, he alleged that judges of the Court were involved in "case fixing deal crime" and other "grave and heinous criminal acts." He stated that the judges influenced other judges to pass orders which were "colourful and deceptive influences." Consequently, making him a victim of "dictatorial punishment." He further accused judicial officers, CAT members, police and the Complainant of criminal conspiracy. He claimed that he was a "whistle-blower" under target. Serious allegations leveled in the memo are extracted below:

"2. x x x x In obligation to Article 51A(i) of Constitution, Respondent discharged his fundamental duty of protecting public property (Rs. 2,000/- Crores loss to public-funds) by way of blowing his whistle on service matter scam in a case O.A.No.170/021/2011, committed by Management of Indian Institute of

Astrophysics. Thus Management of Institute has hatched a criminal conspiracy to eliminate whistleblower Respondent from the Institute to find an escape route from prosecution for scams. The escape route is via committing CASE_FIXING_DEAL_CRIME with sitting Judge Hon'ble Dr. K.B. Suresh, Central Administrative Tribunal, Bangalore Bench. The negotiations made in stated CASE_DEAL was to pass CASE_FIXED_JUDICIAL_ORDER (in case O.A.No.170/0982/2015) for defaming, condemning and punishing and destroying the official and public life of Respondent initially, then, consequently to hatch more complex criminal conspiracy to co-operatively to implicate Respondent. x x x x

Thus, all CASE_FIXING_DEALERS have successfully accomplished their criminal activities as stated herewith for peaceful enjoyment of scams eternally in the Indian Institute of Astrophysics. Under such life endangered circumstances, in pursuant with the statutory provisions, Respondent exercised his legal and constitutional rights for filing several sworn complaints and Affidavits from time to time on CASE_FIXING_DEAL_CRIME to Hon'ble Chief Justices of High Court of Karnataka and Apex Court and Hon'ble President of India and concerned Central Government Ministries. In all his complaints, he prayed for urgent inquiry on CASE_FIXING_DEAL such that he shall be given an opportunity to produce all available evidences with him to inquiry committee and prayed inquiry committee for ascertaining/acquiring certain evidences through the assistance of the Police/CBI available from custodians of Mobile Phone Service providers and CASE_FIXING_DEALERS. Accordingly,

inquiry to be logically completed to submit an inquiry report for actions on CASE_FIXING_DEALERS. x x x x

8. Respondent always believed in Court as Temple for Justice and Judges as Priests of Court. He never committed any kind of contempt of any Court. It is the Petitioner (Ex-Director Dr.P. Sreekumar) and his henchmen who have intrepidly committed Criminal Contempt of Courts and Judiciary and Laws of Land a CASE_FIXING DEAL_ CRIME. Since, Petitioner knew that Respondent was making his legal efforts to prosecute CASE_FIXING_DEALERS (including the Judges) to bring them to justice, vide W.P.No.49540/2018 (GM-RES), hence, to block and subvert all his efforts and to find an escape route for safeguarding themselves from all these efforts. Petitioner has smartly filed the present motivated Criminal Contempt case on Respondent.

13. All the CASE_FIXING_DEALERS have cooperatively abused their responsible and trustworthy Positions, Powers and Authorities to abuse the process of sacred Courts, Judiciary and Laws for passing CASE_FIXED_JUDICIAL_ORDERS. Thereafter, cooperatively involved in CINEMATIC STYLE conspiracies to assault/prevent the discharge of Government Duty of Respondent for over 4 years to destroy his career and Technical/Scientific skills and knowledge and further implicated him into malicious and afterthought and falsehood based misconduct charges on Respondent. But, still, Respondent faced the disciplinary actions on merits. But, during the inquiry, he was prevented from cross-examining the Management witnesses on

CASE_FIXING_DEAL and assault on his discharge of Govt. Duty matters. But, Petitioner abruptly, stopped the inquiry itself, fearing exposure of truth on CASE_FIXING_DEAL_CRIME. Thus, without completing inquiry and without findings based inquiry report, all CASE_FIXING_DEALERS have taken law into their hands to DICTATORIALLY award capital punishment (Dismissal from Government job) to Respondent. The CASE_FIXING_DEALERS have defamed, condemned and thrown the entire family of the Respondent on streets starving for their lives and liberties for eliminating whistle blower Respondent from the Institute. They did not cease their criminal acts there itself, but, still, they want to obliterate and subjugate Respondent's over 8 nos. of 100% meritorious, and greater National/Public/Govt. interest cases pending in various courts of India such that they can get a clean chit that they are innocents and they did not commit any scams, crimes and offences on public administration. A sitting Judge involving into such complex natured grave and heinous criminal acts on helpless Respondent is a case of National importance. Hence, Respondent prays for extremely urgent justice to save lives of his entire family."

4. Charges were framed and read over on 24.01.2023. The charges framed in CrI. CCC No.7/2018 reads as under:

"That you, the accused-Party-in-Person made accusations against the Hon'ble Members of the Central

Administrative Tribunal and two Hon'ble Judges of this Court, Ms. C.R. Sangeetha and Private Lawyers in the present contempt petition as case fixing dealers and allegations against the complainant with regard to framing of Rules and Regulations as per Annexure-K in M.A.No.410/2017 before the Central Administrative Tribunal; Annexure-N objection in O.A.13/2016 and O.A.No.929/2016; Annexure-O Suo-Motu Proceedings No.1/2017 before the Central Administrative Tribunal, Annexure-P, a letter dated 23rd September, 2016 addressed to the Secretary, Department of Personnel & Training, Ministry of Personnel, Public Grievances and Pensions, Government of India; Annexure-Q a letter dated 27th September, 2017 addressed to the Hon'ble President of India; Annexure-R requesting for transfer of the case clearly indicate the use of derogatory and contemptuous languages, tend to scandalize, lower the authority of the Courts and prejudices or interference or obstruction of administration of justice as contemplated under the provisions of Section 2(c) of the Contempt of Courts Act read with Section 15(1)(b) of the Contempt of Courts Act.

The said accusations tantamount to interference of due course of judicial proceedings, tarnishing the image of the judiciary and administration of justice in general amounting to Criminal Contempt as contemplated under the provisions of Section 2(c) of the Contempt of Courts Act, 1971 read with Section 15(1)(b) of the said Act, punishable under the provisions of Section 12 of the said Act within the cognizance of this Court."

5. The accused pleaded not guilty and the cases were posted for evidence. During the course of evidence, the complainant marked 18 documents as Exhibits C1 to C18 through their witness - K. Sripathi, Administrative Officer of the Complainant Institute. The accused person adduced evidence by getting himself examined and marked 33 documents. Cross-examination was conducted of both the witnesses. On 26.04.2025, the statement under Section 313 of Code of Criminal Procedure, 1973, was also recorded and the same is on record.

6. We have heard Sri Pradeep S. Sawkar learned counsel appearing for the complainants and Shri Dhananjay, the accused/party-in-person and Shri Ravindranath, learned Additional Government Advocate who was appointed as the amicus curiae in the matter.

7. Learned counsel appearing for the Complainant submits that after accused's dismissal from service, he leveled several serious allegations against the management of the institution, members of CAT and the

judiciary. In the various pleadings and representations, made to the Chief Justice of India, President of India and Chief Justice of the High Court of Karnataka, the allegations made by the accused are false, vindictive and deliberately intended to scandalise the Court and destroy public confidence in the Judiciary. It is submitted that the accused has repeatedly attacked the integrity, impartiality and dignity of sitting Judges and Tribunal Members, without remorse. This reprehensible conduct of the accused qualifies as criminal contempt under Section 2(c) of the Contempt of Courts Act, 197.

8. Shri Ravindranath, learned AGA submits that the initial conduct of the accused as well as his subsequent conduct before this Court and the statements made by him in the pleadings placed on record by him in these contempt proceedings amount to clear, willful and continuing contempt of the orders and authority of this Court and is aggravated contempt in the face of the Court. It is contended that the derogatory and contemptuous language used by the accused both in his pleadings and in

the submissions made by him before the Court are scandalous in nature and amount to clear contempt in the face of the Court. Further, he has made baseless accusations against the lawyers appearing in the case, the learned Advocate General, the Government Advocates as well as Judges of this Court, who at various points in time had considered the matter, naming them in person.

Sl. No .	Document	Nature of allegation/admissions	Para No./Page Nos.
1.	Ex.C-15/ Annex-J/ Pg. 101	<i>Aspersions and false allegations made against the Hon'ble Judicial Members of the Central Administrative Tribunal, Bengaluru</i>	Para Nos. 1 & 5 (Pg. No.101 & 104)
2.	Ex.C-16/ Annex-K/ Pg. 109	<i>Allegations made against judicial and administrative members of the Central Administrative Tribunal, Bengaluru (Dr. K.B. Suresh & Sri. P.K. Pradhan)</i>	Para Nos. 1, 2 & 3.5 (Pg. No.109, 110 & 111)
3.	Ex.C-8/ Annex-L/ Pg.114	<i>Accused made false allegations against the Hon'ble members of the Central Administrative Tribunal, Bengaluru</i>	Para Nos. 16 to 19, 42, 45, 47 & 50 (Pg. Nos. 118, 121 & 122)

		<i>as well. as the Hon'ble Judges of the High Court of Karnataka</i>	
4.	<i>Ex.C-9/ Annex-M/ Pg.123</i>	<i>Order Sheet annexing the voluntary statement made by the Accused in the contempt proceedings initiated suo moto in S.M.P.No.1/2017 by the Central Administrative Tribunal.</i>	<i>Pg. Nos. 129 & 130</i>
5.	<i>Ex.D-5/ Annex-N/ Pg.131</i>	<i>The Accused contended that the CAT has wrongly recorded the statements on 01.11.2017 and hence gave a clarificatory statement once again making false and frivolous allegations against the Hon'ble Judges of the High Court of Karnataka</i>	<i>Para Nos. 12 to 14, 41, 42 & 50 Pg. Nos. 132 to 135</i>
6.	<i>Ex.C-17/ Annex-O/ Pg.136</i>	<i>Affidavit of the Accused to the Government of India and to the President of India making false allegations against the Hon'ble Judges of the High Court of Karnataka and the Presiding Officers &</i>	<i>Para Nos.2, 4, 5, 8 & 9 Pg. Nos. 136, 137, 139, 140, 143 & 144</i>

		<i>Judicial Members of CAT</i>	
7.	<i>Ex.C-18/ Annex-P/ Pg.148</i>	<i>Affidavit of the Accused to the Government of India and to the President of India making false allegations against the Hon'ble Judges of the High Court of Karnataka and the Presiding Officers & Judicial Members of CAT</i>	<i>Para Nos. 5.3, 6.2, 8.3, & 11 Pg. Nos. 151, 152, 156, 160 & 161</i>
8.	<i>Ex.C-10/ Annex-Q/ Pg.164</i>	<i>Complaint dated 27.09.2017 filed by the Accused before the Hon'ble President of India once again making false and baseless allegations against the Hon'ble Judges of the High Court of Karnataka as well as the judicial members of the CAT</i>	<i>Para Nos.8, 9, 10 & 12 Pg. Nos. 175 to 186</i>
9.	<i>Deposition of the Accused in the above contempt proceedings dated 14.07.2023</i>	<i>Once again in the examination-in-chief of the Accused party in person, he made several baseless allegations against the former Advocate General for High Court of Karnataka as well as several Advocates & Judges of this Hon'ble Court and the members of</i>	<i>Para Nos. 60, 61, 63, 66, 69, 75, 76, 79 & 82 (please see pages 40 to 67 of the deposition/ examination -in-chief of the Accused dated 14.07.2023)</i>

		<i>the CAT</i>	
10.	<i>Admissions made by the Accused during the course of cross examination of by the HCGP dated 07.08.2023 & 09.08.2023</i>	<i>Accused admits that the statements made by him against the Judges of this Hon'ble Court and judicial members of the CAT have been made by him and that according to him, the said statements are justified</i>	<i>Please see Para Nos. 3, 4, 5, 6, 7, 11 & 12 of the cross examination of the Accused dated 07.08.2023 and 09.08.2023</i>

9. It is contended that in the light of the statements and allegations made by the accused, he is raising a scurrilous attack on the judges and the judiciary and it impairs the confidence of the people in the Court and he is clearly liable to be punished for such.

10. We have considered the contentions advanced. In the memorandum of objections filed by the respondent, the accused does not deny the specific allegations raised against him. The complainant has been examined and has adduced the documents to show that baseless and scandalous allegations have been repeatedly

made by the accused as is specifically alleged in the charge.

11. The charge expressly alleges that the accused made derogatory, scandalous and contemptuous accusations against Hon'ble Ms. C.R. Sangeetha, Members of the CAT, two Hon'ble Judges of the High Court and private lawyers, describing them as "case-fixing dealers" and making further allegations regarding framing of Rules and Regulations.

12. The charge itself identifies the documents in which these statements were made, namely:

- M.A. No. 410/2017 wherein the Respondent accuses judicial members of the CAT of corruption. Relevant portions are extracted below:

"2. Applicant's office authorities are white collar corrupts of the society and are playing with their criminal games with Applicant for his efforts on accountability in service matter vide filing cases in this Hon'ble CAT: – O.A.No.170/0021/2011, O.A.No.170/982/2015, O.A.No.170/1565/2015, O.A.No.170/0013/2016, one more fresh case to be filed soon, etc. which are 100% meritorious cases with no chance for dismissal. These cases have common interests of Nation, Public, Central Govt., Indian Institute of Astrophysics and Applicant.

Since, aforementioned Hon'ble Members have committed serious illegalities in O.A.No.170/0982/2015, the office authorities (Respondents) of Applicant are apparently, using one Ms. C.R. Sangeetha, as a black-mailing instrument with the above mentioned Hon'ble Members for dismissing above mentioned cases. Accordingly, one case O.A.No.170/1565/2015 got already dismissed. Applicant is helpless if the Judges of Court act as hand in glove with his office authorities. Further, the above mentioned Hon'ble Members are repeatedly intimidating the Applicant that if Applicant files any more cases in this Hon'ble CAT against offenses/frauds against public administration and other falsifications of records by his office authorities for the sake of illicit gaining of public funds, then, all such cases of Applicant would be dismissed. Further, Applicant's office authorities are exercising disciplinary actions on Applicant based on the courage of above mentioned black-mail dealings."

- Objections in O.A. No. 13/2016 and O.A. No. 929/2016 wherein accusations of an illicit relationship are leveled against Hon'ble Judges. Relevant portions are extracted below:

"42. *The reason for making this allegation of illicit relationship of Hon'ble Shri Justice Jayant Patel and this girl is that even after the Law Ministry had sent the papers to the Hon'ble Chief Justice of Karnataka, he did not allow the Review Petition No. 54/2016 but had dismissed.*

50. *About the illicit affairs this girl may have had with his 6 former advocates and 4 Judges as aforesaid. It is a*

question of "May or Maybe". He has not seen anything, on these, he seeks a transfer of his cases to Principal Bench, New Delhi."

- Suo-Motu Proceedings of the CAT No. 1/2017, the accused contends that members of CAT were involved in collusion. Relevant portions are extracted below:

" x x x x x Now, my cases will not be destroyed either by advocate or by merits. Because i have a capacity to go as a party in person and argue my cases however these days the mental torture that have been inflicted by my office authorities has made me to such extent that i may not be able to politely submit my submission before court and my office side lawyers esp mr. Abilash raju is such a advocate he provokes me in open court itself he provokes me that my merit should be destroyed before the Bench for colourful attitude. However i am filing all the cases having 100% merits and i have not filed any frivolous cases against my office. If such frivolous cases has filed the court would have observed such frivolous grounds and imposed cost on me also. But i have filed all the cases in the greater interest of public, government and in respect of the institute and my own interest. I come here before hon'ble court only for submission my purely merits in the case but my office advocates do no allow me to submit such merits of the case they very often distract the court that i have been filing complaints and affidavits against thon'ble judges that itself is their core issue. However their issue is not regarding the cases listed on that particular day. However i came to learn from my colleague from the administratiojn office that P. Shri Kumar the director has entered into case dealing s with honlbe D.R. KBS Sir it may be either they are relatives or family friends and this MS. C.R. SANGEETHA is a instrument being used by this

hon'ble court and my office for dismissing all these cases. In fact D.N. Meghachandra. has disclosed this long back indirectly but then i could not understand at that point of time. That point of time is January 2017 itself mr. D.N. Meghachandra. Was disclosing this secret but then i came to know very authentically through the person who has disclosed me from administrative section. It is because this Ms. C.R. Sangeetha is about to receive her PhD award and she is a very poor not calibered, candidate but she is not qualifying for that Phd award but if all these cases are dismissed OA No. 13/2016 especially which is a selection fixing recruitment of 16 favourite candidates of Shri P. Kumar then Ms. C.R. Sangeetha phd would be awarded and sent out. Now for this awarding of phd to Ms. C.R. Sangeetha how my cases are related. After all she is a accused in my cases. Sooner or later she will be imprisoned and sent to jail also through my criminal case along with my office authorities. I am still hoping for such an opportunity unto then i am fighting for justice and equity. x x x x"

- Letter dated 23.09.2016 addressed to the Secretary, Department of Personnel Training, the accused casts aspersions on the competence of the members of CAT and judiciary. Relevant portions are extracted below:

"5.3. *Above documents are self explanatory and above Hon'ble Members not such persons who cannot understand above documents. If they cannot understand above documents, then, they are unfit to be Judges of a Court and they shall be urgently and on priority basis be terminated/removed/dismissed as they are threat to the interests of the Nation, Govt. and Public.*

Despite of above cited documents the above Hon'ble Members have passed their observations as below in ANNEX-1: x x x x"

6.2. *In support of the relief mentioned in Para (6.1) above, I had placed on record, voluminous number of statutory standing Orders/Rules of Central Govt. which were marked as Annexures in O.A.No.170/1565/2015 apart from entire documents cited at Para No.(5.2) above. It is submitted that my office is converted from Pure Govt. Department (India Meteorological Department, Ministry of Civil Aviation) to an 100% Govt. Funded Autonomous Institute in 1971. With effect from 1971, there is no Central Govt. (that is Administrative Ministry, Department of Science & Technology, in concurrence with the Ministry of Personnel, PG and Pension, Department of Personnel and Training and Ministry of Finance, Department of Expenditure) sanctioned and approved Recruitment Rules for the administration and governance of the employees of my Institute. Hence, in absence of such Central Govt. approved Rules, the time to time changed Directors and Chairmen of Governing Council of my Institute have perpetrated a service matter scam incurring a loss to the public exchequer to the tune of 2-G-Spectrum scam. Now, though above reliefs, I prayed the CAT for ceasing all the above illegalities. Since, almost 90% of the employees of my Institute are illegal beneficiaries, but, why should I be a betrayer to Govt./Nation/Public/My*

*Institute? My first and foremost fundamental Duty under Article 51(f) of the Constitution of India is to protect the property (public funds) of the Govt./Public/Nation. This duty is also, the collectively obligatory duty of the above Hon'ble Members (Judges of Court) and the Govt. Functionaries (Respondent No.1, 2&3 of above cited case). However, management of my Institute is committing criminal conspiracies to dismiss me from service for my above cited whistle blowing legal efforts. **If Judges of Court act as hand in glove to the white collar corrupts (my office authorities through case dealings as mentioned at the end below) then, even God cannot protect our Nation's Govt. Funds and Rule of the Land."***

- Letter dated 27.09.2017 addressed to the Hon'ble President of India allegations relating to misuse of powers and illegality are reiterated. Relevant portions are extracted below:

"8. x x x x x Their crimes has grievously and irreparably injured my Family life, Social life, Official life, Personal life, Govt. service, Govt. Duties, Service Career and promotion, huge pocket funds, serenity and National/Govt./Public interest cases. Hence, Respondent No. 1 to 4 have apparently committed misbehaviour and incapacity by abusing the Sections 52 & 77 of I.P.C. 1980 (see Para No. 4.D & 4.E above) and the provisions as cited in Para No. (4.F, 4.G, 4.H, & 7.I above) and in Para No. 6 above. Thus, Respondent No. 1

to 4 do not deserve public's addressing to them with folded hands as **"MY LORDS, YOUR LORDSHIPS"**. I will demonstrate and prove their misbehaviour and incapacity in the following Paragraph. This is the ground for sanction for prosecution of Respondents.

9.4. My fourth National/Public/Govt. interest case is:- recently I have filed another case (which is yet to be registered, numbered and admitted) for dismissal/removal of Respondent No. 8 & 9 for their frauds/offences against public administration and other falsifications of records in my Institute for the sake of illicit gain/misappropriation of public funds for themselves and for their henchmen. Apart from these 100% meritorious and national/govt./public interest cases, I have also filed other cases for my personal grievances (habitual denial of lawfully entitled promotion on two instances) such as O.A. No. 170/ no Exam, but clearance is the sole discretion of her Ph.D. guide who is under the control of Respondent No. 8. Thus, Respondent No. 8 is not clearing her Ph.D for her successful dismissal of all the above cases and hence, Respondent No. 12 has been rampantly approaching all my lawyers and having illicit affairs with them and secretly weakening and destroying all my won cases too. Respondent No. 12 is not filing any complaint to either Police or Women's Commission or any other forum against Respondent No. 8 for not clearing her Ph.D because Respondent No. 8 & 9 are intimidating

Respondent No. 12 that they would expose her crime of privately meeting Respondent No. 1 to 4 and implicate her into actions. Thus, Respondent No. 8, 9 & 12 are regularly having illicit telephonic or personal meetings or other means of regular communications and they are getting all day-to-day updates. x x x x x

9.7. x x x x Accordingly, Respondent No. 1 & 2 with the assistance of Superior No. 3 had prejudiced the Respondent No. 3 & 4 and once again the Respondent No. 12 took the assistance of Respondent No. 5 and privately met the Respondent No. 3 & 4 and once again with all kinds of dramas and/or illicit affairs with Respondent No. 3 & 4, the Respondent No. 12 was successful in dismissing W.P. No. 51917/2016 (S-CAT) without admission and notice and further, the findings in the judgment/order are absolutely false, frivolous, illegal, meritless and contempt of court-based ones which are completely extraneous to the documents and facts placed on record. Further, I had filed my complaint on Respondent No. 3 & 4 to the Superior No. 5, 6, 8 above and Hon'ble President of India complaining, I am filing Review Petition No. 54/2017 for restoration of the W.P. No. 51917/2016 (S-CAT) and for fresh de novo proceedings in O.A. No. 170/0982/2015, and suppose, if this R.P. No. 54/2017 is also dismissed without admission and service of notice, then, I would file a regular complaint and affidavit for their impeachment and police action. x x x x x"

- The request for transfer/PT No. 241/2017 wherein the accused levels allegations relating to illegality and collusion against members of CAT.

"4. That the petitioner believes that aforementioned Hon'ble Members are colluded with the office authorities of the petitioner to dismiss O.A.No.170/1565/2015 for the following limited grounds: –

a. Because they assailed the provision under Section 23 of A.T. Act, 1985 to favour office authorities of the petitioner;

b. Because they assailed the provisions of Articles 14, 16, 19 and 309 of Constitution to favour the office authorities of the petitioner;

c. Because they assailed very large number of statutory standing Orders of Central Govt. to favour office authorities of the petitioner;

d. Because they assailed their landmark and historic judgement in O.A.No.170/0021/2011;

e. Because they smartly deleted the very necessary parties from the array of Respondents to favour the office authorities of the petitioner;

f. Because they smartly recorded the confidence and faith of the petitioner in aforementioned Hon'ble Members in the dismissal order;

g. Because they failed to pass reasoned and speaking order citing bonafide facts, documentary evidences, rejoinder, written arguments and crucial C.A.G.Report-2016 (concurring the serious nature illegalities of the office authorities) but favoured the office authorities of the petitioner who are proven corrupts of the society;

All the aforementioned acts on part of aforementioned Hon'ble Members clearly prove the fact that they are prejudiced to favour the office

authorities of the petitioner by way of compromising and sacrificing the National, Public and Govt. Interest cases also and bringing bad reputation to the Courts of Law, because, such acts on part of aforementioned Hon'ble Members apparently encourages the office authorities of the petitioner to lawfully perpetrate more and better irregularities in service matters and in administration and governance matters."

These documents are produced by the Complainant highlighting the scurrilous remarks and allegations made by the accused.

13. In response the accused places Exhibits D1-D46 on record, including various pleadings, representations, and complaints where the said accused has leveled allegations of collusion, corruption illegality, incompetence, case-fixing-deal-crime, and other serious accusations against Hon'ble members of CAT and the judiciary.

14. In the light of the specific charges alleged against him, we notice that he has not clearly denied the conduct attributed to him in the charges anywhere. The evidence adduced by him also, is not intended to deny the charges framed against him, but is only an attempt to cast

aspersions on all involved. He has filed several other pleadings including Interlocutory Applications, Rejoinders and Applications before this Court in these proceedings which also go to show that he has not denied the specific charges framed against him.

15. Complainant - Shri. Shripathi K, CW-1 has marked 18 documents as evidence. Though the accused has cross examined the complainant in detail, we clearly notice that he was unable to discredit the witness or deny the charges. The evidence placed on record would clearly show that the charges stand proved.

16. Section 2(b), 2(c), 12, 14 and 15 of the Contempt of Courts Act, 1971 reads as under:-

"2. Definitions.-

(a) x x x x x

(b) x x x x x

(c) *"criminal contempt" means the publication (whether by words, spoken or written, or by signs, or by visible representation, or otherwise) of any matter or the doing of any other act whatsoever which-*

(i) *scandalises or tends to scandalise, or lowers or tends to lower the authority of, any court; or*

- (ii) *prejudices, or interferes or tends to interfere with, the due course of any judicial proceeding; or*
- (iii) *interferes or tends to interfere with, or obstructs or tends to obstruct, the administration of justice in any other manner;*

12. Punishment for contempt of court.- (1) *Save as otherwise expressly provided in this Act or in any other law, a contempt of court may be punished with simple imprisonment for a term which may extend to six months, or with fine which may extend to two thousand rupees, or with both:*

Provided that the accused may be discharged or the punishment awarded may be remitted on apology being made to the satisfaction of the court.

Explanation.- An apology shall not be rejected merely on the ground that it is qualified or conditional if the accused makes it bona fide.

(2) *Notwithstanding anything contained in any other law for the time being in force, no court shall impose a sentence in excess of that specified in sub-section (1) for any contempt either in respect of itself or of a court subordinate to it.*

(3) *Notwithstanding anything contained in this section, where a person is found guilty of a civil contempt, the court, if it considers that a fine will not meet the ends of justice and that a sentence of imprisonment is necessary shall, instead of sentencing him to simple imprisonment, direct that he be detained a civil prison for such period not exceeding six months as it may think fit.*

(4) *Where the person found guilty of contempt of court in respect of any undertaking given to a court is a company, every person who, at the time the contempt was committed, was in charge of, and was responsible to, the company for the conduct of business of the company, as well as the company, shall be deemed to be guilty of the contempt and the punishment may be enforced, with the leave of the court, by the detention in civil prison of each such person:*

Provided that nothing contained in this sub-section shall render any such person liable to such punishment if he

proves that the contempt was committed without his knowledge or that he exercised all due diligence to prevent its commission.

(5) Notwithstanding anything contained in sub-section (4), where the contempt of court referred to therein has been committed by a company and it is proved that the contempt has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of the contempt and the punishment may be enforced, with the leave of the court, by the detention in civil prison of such director, manager, secretary or other officer.

Explanation.-For the purposes of sub-sections (4) and (5),-

(a) "company" means any body corporate and includes a firm or other association of individuals; and

(b) "director", in relation to a firm, means a partner in the firm.

14. Procedure where contempt is in the face of the Supreme Court or a High Court.-(1) *When it is alleged, or appears to the Supreme Court or the High Court upon its own view, that a person has been guilty of contempt committed in its presence or hearing, the Court may cause such person to be detained in custody, and, at any time before the rising of the Court, on the same day, or as early as possible thereafter, shall-*

- (a) cause him to be informed in writing of the contempt with which he is charged;*
- (b) afford him an opportunity to make his defence to the charge;*
- (c) after taking such evidence as may be necessary or as may be offered by such person and after hearing him, proceed, either forthwith or after adjournment, to determine the matter of the charge; and*
- (d) make such order for the punishment or discharge of such person as may be just.*

(2) Notwithstanding anything contained in sub-section (1), where a person charged with contempt under that sub-section applies, whether orally or in writing, to have the charge against him tried by some Judge other than the Judge or Judges in whose presence or hearing the offence is alleged to have been the interests of proper administration of justice the application should be committed, and the Court is of opinion that it is practicable to do so and that in the interests of proper administration of justice the application should be allowed, it shall cause the matter to be placed, together with a statement of the facts of the case, before the Chief Justice for such directions as he may think fit to issue as respects the trial thereof.

(3) Notwithstanding anything contained in any other law, in any trial of a person charged with contempt under sub-section (1) which is held, in pursuance of a direction given under sub-section (2), by a Judge other than the Judge or Judges in whose presence or hearing the offence is alleged to have been or hearing the offence is alleged to have been committed to appear as a witness committed, it shall not be necessary for the Judge or Judges in whose presence and the statement placed before the Chief Justice under sub-section (2) shall be treated as evidence in the case.

(4) Pending the determination of the charge, the Court may direct that a person charged with contempt under this section shall be detained in such custody as it may specify:

Provided that he shall be released on bail, if a bond for such sum of money as the Court thinks sufficient is executed with or without sureties conditioned that the person charged shall attend at the time and place mentioned in the bond and shall continue to so attend until otherwise directed by the Court:

Provided further that the Court may, if it thinks fit, instead of taking bail from such person, discharge him on his executing a bond without sureties for his attendance as aforesaid.

15. Cognizance of criminal contempt in other cases.

(1) In the case of a criminal contempt, other than a contempt referred to in section 14, the Supreme Court or the High Court may take action on its own motion or on a motion made by-

- (a) *the Advocate-General, or*
- (b) *any other person, with the consent in writing to the Advocate General, [or]*
- (c) *in relation to the High Court for the Union territory of Delhi, such Law Officer as the Central Government may, by notification in the Official Gazette, specify in this behalf, or any other person, with the consent in writing of such Law Officer.]*

(2) *In the case of any criminal contempt of a subordinate court, the High Court may take action on a reference made to it by the subordinate court or on a motion made by the Advocate-General or, in relation to a Union territory, by such Law Officer as the Central Government may, by notification in the Official Gazette, specify in this behalf.*

(3) *Every motion or reference made under this section shall specify the contempt of which the person charged is alleged to be guilty.*

Explanation.-In this section, the expression "Advocate-General" means-

- (a) *in relation to the Supreme Court, the Attorney-General or the Solicitor-General;*
- (b) *in relation to the High Court, the Advocate-General of the State or any of the States for which the High Court has been established;*
- (c) *in relation to the Court of a Judicial Commissioner, such Law Officer as the Central Government may, by notification in the Official Gazette, specify in this behalf."*

17. The Apex Court in ***Rajendra Sail v. M.P. High Court Bar Association and others*** reported in **(2005) 6 SCC 109**, has clearly held that alleging bias and mala fides on the part of a High Court Judge and making other

derogatory and personal remarks against Judges amounts to Criminal Contempt of Court and the defence of fair criticism is not available where scandalous allegations are raised without any basis. Relevant observations are extracted below:

"11. It has been repeatedly held that the rule of law is the foundation of democratic society. The judiciary is the guardian of the rule of law. The confidence, which the people repose in the courts of justice, cannot be allowed to, be tarnished, diminished or wiped out by the contemptuous behaviour of any person. If the judiciary is to perform its duties and functions effectively and true to the spirit with which they are sacredly entrusted, the dignity and authority of the courts have to be respected and protected at all costs. The foundation of the judiciary is the trust and the confidence of the people in its ability to deliver fearless and impartial justice. When the foundation itself is shaken by acts which tend to create disaffection and disrespect for the authority of the court by creating distrust in its working, the edifice of the judicial system gets eroded. It is for this purpose that the courts are entrusted with extraordinary powers of punishing for contempt of court those, who indulge in acts, which tend to undermine the authority of law and bring it in disrepute and disrespect by scandalising it. When the court exercises this power, it does not

do so to vindicate the dignity and honour of the individual judge who is personally attached or scandalised, but to uphold the majesty of the law and of the administration of justice.

20. *In Roshan Lal Ahuja, In re, a three-Judge Bench held, judgments of the court are open to criticism. Judges and courts are not unduly sensitive or touchy to fair and reasonable criticism of their judgments. Fair comments, even if, outspoken, but made without any malice or attempting to impair the administration of justice and made in good faith in proper language don't attract any punishment for contempt of court. However, when from the criticism a deliberate, motivated and calculated attempt is discernible to bring down the image of the judiciary in the estimation of the public or to impair the administration of justice or tend to bring the administration of justice into disrepute the courts must bestir themselves to uphold their dignity and the majesty of law. No litigant can be permitted to overstep the limits of fair, bona fide and reasonable criticism of a judgment and bring the courts generally in disrepute or attribute motives to the judges rendering the judgment. Perversity, calculated to undermine the judicial system and the prestige of the court, cannot be permitted for otherwise the very foundation of the judicial system is bound to be undermined and weakened and that would be bad not only for the preservation of rule of law but also for the independence of judiciary.*

Liberty of free expression is not to be confused with a licence to make unfounded, unwarranted and irresponsible aspersions against the judges or the courts in relation to judicial matters. No system of justice can tolerate such an unbridled licence. Of course "Justice is not a cloistered virtue: she must be allowed to suffer the scrutiny and respectful even though outspoken comments of ordinary men", but the members of the public have to abstain from imputing improper motives to those taking part in the administration of justice and exercise their right of free criticism without malice or in any way attempting to impair administration of justice and refrain from making any comment which tends to scandalise the court in relation to judicial matters. If a person committing such gross contempt of court were to get off lightly it would be a most unfortunate state of affairs. Sympathy in such a case would be totally misplaced having no meaning. His action calls for deterrent punishment so that it also serves as an example to others and there is no repetition of such contempt by any other person."

Further, in ***Prashant Bhushan and another, in Re*** reported in **(2021) 3 SCC 160**, the Apex Court held that freedom of speech is not absolute and when it is used to scandalise the institution as a whole and persons, who are part of the institution who cannot defend themselves

publicly, such hostile criticism of the judiciary amounts to scandalising the Court and is not protected under Article 19(1)(a) of the Constitution of India.

In ***Vijay Kurle, in Re*** reported **(2021) 13 SCC 616**, it was held that the purpose of law of contempt is not to prevent fair criticism but to ensure that respect and confidence reposed in the judicial system is not undermined.

18. Having considered the evidence adduced in this case, we are of the clear view that the charges leveled against the accused stands proved. The accused has not been able to place any mitigating circumstances that would explain his contemptuous conduct. He has committed aggravated contempt in the face of the Court by scurrilous, scandalous and baseless statements against Advocates of this Court, the Advocate General and Government Advocates as well as the Judges of the Court. The very demeanor and tone of the accused is clearly contemptuous of the orders and authority of the Court and the judicial system as such.

19. We have given our anxious consideration to the pleadings and the materials on record. We have also noticed the conduct of the accused before the Court. Far from expressing any remorse for the initial criminal contempt committed by him, he has attempted to justify his actions and has proceeded to make scandalous and unfounded statements against the judicial institution as a whole. His conduct can only be termed as deliberate and adamant and reveals complete apathy towards social, moral and judicial codes of conduct. We are of the clear opinion that if conduct of this nature is not punished, sociopaths like the accused are likely to repeat such offences with impunity which would endanger the rule of law and the judicial system as a whole.

20. Having regard to the aforesaid facts and circumstances, we hold that the charges against the accused/contemnor is proved. Therefore, we convict the accused/contemnor for Criminal Contempt of Court punishable under Section 12(1) of the Contempt of Courts Act, 1971.

21. We have heard the accused on sentence. We find that the accused has not expressed any regret and continues his adamant stand. No mitigating factors have also been pleaded.

22. We also heard the learned State Public Prosecutor and the complainant, who submit that in the facts and circumstances of the case, maximum punishment is liable to be imposed.

23. Having considered the contentions advanced and the gravity of the contempt and the conduct of the accused as well as his age, we sentence the accused/contemnor to simple imprisonment for a period of four months with a fine of Rs.2,000/- (Rupees Two Thousand Only).

The accused/contemnor shall be taken to custody forthwith, to serve the sentence.

Registrar (Judicial) shall issue conviction warrant against the accused as per Rule 16 of the High Court of Karnataka (Contempt of Court Proceedings) Rules, 1981.

Registry shall furnish a free copy of this order to the accused/contemnor, immediately.

Pending interlocutory applications shall stand disposed of.

**Sd/-
(ANU SIVARAMAN)
JUDGE**

**Sd/-
(VIJAYKUMAR A. PATIL)
JUDGE**

cp*