

IN THE HIGH COURT OF JHARKHAND AT RANCHI

Contempt Case (Criminal) No. 3 of 2025

The Court on its Own Motion

Versus

Mahesh Tewari, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

... .. Opposite Party

**CORAM: HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE SUJIT NARAYAN PRASAD
HON'BLE MR. JUSTICE RONGON MUKHOPADHYAY
SRI ANANDA SEN, J.
HON'BLE MR. JUSTICE RAJESH SHANKAR**

For the Opposite Party: ----- Party-in-Person

Reserved on: 10.02.2026 **Pronounced on: 16 .02.2026**

Per M.S. Sonak, C.J.

1. Heard Mr. Mahesh Tewari, the contemnor, who appears in person.
2. On 16.10.2025, in Court Room No. 24, presided over by Hon'ble Mr. Justice Rajesh Kumar, the contemnor made some statements. A video clip that captured this interaction between the contemnor and the Presiding Judge went viral on the Internet and other social media platforms.
3. The then Hon'ble Chief Justice, Mr. Tarlok Singh Chauhan, and four other Hon'ble Judges of this Court took cognisance of the incident as captured in the video clip and ordered the registration of this Contempt Case (Criminal) No. 3 of 2025, titled "*The Court on its own Motion Vs. Mahesh Tewari*".
4. On 17th October 2025, the Full Bench made the following order:-

“1. A video relating to the Court proceedings of this Court has gone viral on the Internet and other social media. Therefore, we have called for the original of the video through the Central Project Coordinator (CPC) who has submitted the same in a pen-drive.

2. We also have the transcript of that video. The video was played in the open Court.

3. Having perused the video, we find that the same relates to the Court’s proceedings dated 16.10.2025 of Court No.24 held by Justice Rajesh Kumar where the Opposite Party had his case at Serial No.2 of the cause-list and we further find that some orders were passed in that case. However, when the case at Serial No.4 was called and where none of the parties were being represented by the Opposite Party, yet, the Opposite Party stood up in front of the Dais and interrupted the Court’s proceedings. He not only used intemperate language, but also tried to brow beat threaten and bully the learned Judge Justice Rajesh Kumar. Further, the Opposite Party has tried to scandalize the Court by stating that, “the country is burning with the judiciary” and persisted that “he would argue in his own way” and rather asked the learned Judge “not to cross his limits,” while going out of all limits insofar as he alone was concerned thereby undermining the majesty and Authority of law.

4. The Opposite Party is present in person and states that he has no remorse or regret whatsoever for whatever he has done or said in the Court.

5. Prima facie we are of the considered view that the utterances of the Opposite Party amounts to criminal contempt and while invoking our power

under Article 215 of the Constitution of India and the Contempt of Courts Act, we direct the Registry to register a suo motu criminal contempt case against the Opposite Party.

6. Issue notice.

7. The Opposite Party waives notice and prays for three weeks' time to file his reply-cum-Statement of Defence.

8. List on 11th of November 2025.”

5. On 25.11.2025, the contemnor, who is a practising advocate of this Court, appeared and filed an I.A. seeking extension of time to file reply-cum-statement of defence. The Full Bench granted four weeks' time to the contemnor to file reply-cum-statement of defence. The Registry was also directed to supply the contemnor with a copy of the video transcript and the Pen Drive.

6. On 23.12.2025, the contemnor once again filed an I.A. seeking further extension of time. The Full Bench, once again, extended the time to file a response by six weeks and listed the matter on 10th February 2026. Within this period, the contemnor filed his interim reply to the contempt notice.

7. In the meantime, the contemnor also filed Criminal Appeal No. 430 of 2026 before the Hon'ble Supreme Court, challenging the Full Benches' order dated 17.10.2025, which took cognisance of the incident of 16.10.2025, registered a *suo motu* contempt case, and issued notice to the contemnor.

8. The Hon'ble Supreme Court, by order dated 23.01.2026, disposed of the contemnor's Criminal Appeal No. 430 of 2026, by making the following order: -

"1. Delay condoned.

2. The appellant is a practising lawyer in the High Court of Jharkhand at Ranchi. An untoward incident unfurled in Court No. 24 of the High Court on 16.10.2025, which was widely circulated and reported on social media. Taking cognizance thereof, a five-Judge Bench led by Hon'ble The Chief Justice of the High Court suo motu initiated criminal contempt proceedings against the appellant. Aggrieved by that notice, the appellant is before us.

3. While explaining at length that the appellant never meant to cause disrespect to the Hon'ble Judge or obstruct the judicial proceedings, learned senior counsel for the appellant submits that the appellant is extremely repentant of the incident and is willing to tender an unconditional apology.

4. Having regard to the above-mentioned stand taken by the appellant, we dispose of this appeal with liberty to the appellant to submit an affidavit of unconditional apology before the High Court. We request the High Court to consider that apology sympathetically and pass an appropriate order.

5. Pending application(s), if any, shall stand closed."

9. On 5th February 2026, the contemnor filed a supplementary affidavit, together with a copy of the Hon'ble Supreme Court's order dated 23.01.2026 disposing of Criminal Appeal No. 430 of 2026.

10. In Paragraph 4 of the supplementary affidavit, the contemnor stated that the incident which took place on 16.10.2025 in the Court presided over by Hon'ble Mr. Justice Rajesh Kumar "*was unfortunate and regretful*". In paragraphs 5 and 6 of the supplementary affidavit, the contemnor stated as follows: -

"5. That the answering opposite party tenders an unconditional apology for the incident which took place on 16.10.2025 in the court of Hon'ble Mr. Justice Rajesh Kumar.

6. That as such the answering opposite party humbly prays that the present contempt proceeding be dropped as against the answering opposite party."

11. The contemnor, in his supplementary affidavit, also stated that he has been a practising Advocate of this Hon'ble High Court for the last 40 years and "*as such can never even imagine lowering the prestige and decorum of this institution and more so the contempt of this institution.*"

12. On 10th February 2026, when the Full Bench assembled to take up this matter, the contemnor appeared in person and, after referring to paragraph 5 of his supplementary affidavit dated 5th February 2026, stated that he was tendering an unconditional apology for the incident which took place on 16.10.2025 in the Court presided over by Hon'ble Mr. Justice Rajesh Kumar. Upon the Court's query as to whether he had anything else to say in this matter, the contemnor replied that he was tendering his unconditional apology and that he had already filed his interim reply to the show cause notice issued by this Court.

13. In the context of paragraph 3 of the Full Benchs' order dated 17.10.2025 the contemnor, in his interim reply stated that his statement *"Don't try to humiliate any Advocate" or "Please Don't try to humiliate any person"* was a spontaneous reaction and momentary to the humiliation caused to me through the personal remarks made by the Hon'ble Mr. Justice and was a human plea for dignity and not a threat". Further, he submitted that his statement *"Aap bahut zyada jaante hain, aap Judge ho gaye, hum log nahi jaante hai, hum log Wakeel hai"* in no way insults the bench. He proceeded to state that *"It is with humility that I stated that Hon'ble Judges had more knowledge than Advocates. No part of my conduct constituted browbeating or bullying the Hon'ble Mr. Justice."*

14. As regards the *prima facie* observation in the Full Benchs' order dated 17.10.2025 that the contemnor tried to scandalise the Court by stating that the country is burning with the judiciary, the contemnor stated as follows: -

"I would like to clarify that the statement made by me was in the heat of the moment, under emotional distress and was unintentional and not a considered view. I regret using this expression, retract it fully and unconditionally and state that it does not reflect my belief and views regarding the institution of the judiciary. I wish to reiterate I should have chosen my words more carefully and there was no ill intention to either scandalize the court or undermine the majesty and authority of the law."

15. Regarding the observation in the Full Benches' order dated 17.10.2025 that the contemnor persisted in arguing in his own way and asked the learned Judge not to cross his limits, the contemnor stated that his statement had been misinterpreted and that he made it because he felt humiliated by the remarks of Hon'ble Mr. Justice Rajesh Kumar on his arguments in the previous case. The contemnor further submitted that he has the highest regard for the judiciary and reiterates his unconditional respect for this Hon'ble institution. He also stated that if any part of his conduct or expression has caused discomfort or appeared disrespectful to this Hon'ble Court, he has expressed his sincere regret. He stated that he has been practising in this Court for over 40 years and has never, in his long career, attempted to scandalise or lower the authority of the judiciary.

16. In paragraph 7 (xiv) of his interim reply, the contemnor has made the following plea:-

“7(xiv) I respectfully pray that this Hon'ble Court may view the incident in the correct factual context, emotional circumstances that prevailed, my long unblemished career, and the unconditional retraction of the objectionable expression and may be pleased to drop the proceedings in the interest of justice and pass any further order(s) that this Hon'ble Court may deem fit and proper. I reaffirm my highest respect for this Court and remain committed to maintaining the decorum of the Bar and the Bench, and accept the interim show-cause - cum- statement of fact and drop the Contempt Case (Criminal) No. 03 of 2025 initiated against the deponent and pending final hearing of the interim

show cause- cum statement of defence and extend the date by another six weeks for hearing.”

17. We have perused the transcript of the video recording of the incident of 16.10.2025 and have also watched the video clip of the incident of 16.10.2025. We have perused and considered the contemnor’s interim reply dated 19.12.2025 and the supplementary affidavit dated 5th February 2026, in which the contemnor has expressed regret for the incident of 16.10.2025 and tendered an unconditional apology. Even in his interim reply, the contemnor, after referring to his “emotional circumstances”, unconditionally retracted those objectionable expressions. The contemnor has also reaffirmed his respect for this Court and given an assurance of his commitment to maintaining the decorum of the Bar and the Bench.

18. Further, we have, as we are bound to, considered the order of the Hon’ble Supreme Court dated 23rd January 2026, which records that the contemnor was extremely repentant of the incident and was willing to tender an unconditional apology. The Hon’ble Supreme Court’s order disposes of the contemnor’s criminal appeal with liberty to the contemnor to submit an affidavit of unconditional apology before the High Court. The Hon’ble Supreme Court has also requested the High Court to consider the contemnor’s apology sympathetically and pass an appropriate order in the matter.

19. Upon due consideration of the pleas, transcript, the video clip and the law on the subject, we are inclined to accept the contemnor’s unconditional apology to this Court. However, this is not because we

regard the contemnor's conduct and utterances in the Court as not being contumacious or tending to scandalise or lower the authority of the Court. The petitioner's utterances and his conduct in the Court were indeed regrettable, as was accepted by him in his interim reply and the supplementary affidavit.

20. An Advocate with over 40 years of legal practice is expected to show greater restraint, if not circumspection. He is as much an Officer of the Court as the Judge presiding over it. His utterances and conduct in the Court are not directed only to the presiding officer but to the institution itself. Therefore, he cannot afford to exhibit disrespect or speak words or otherwise conduct himself to scandalise or tend to lower the authority of any Court.

21. Besides, we note that on 17.10.2025, the contemnor stated to the Full Bench that he had no remorse or regret whatsoever for whatever he had done or said in the Court on 16.10.2025. In the lengthy interim reply filed by the contemnor, there is no explanation about this statement, which was noted in paragraph 4 of the Full Bench's order dated 17.10.2025. His statement that he has no remorse or regret whatsoever for anything he has done or said in Court hurts us. More than it hurts us, it harms the institution, which is far greater than the judges and lawyers who are but a part of it. It suggests a kind of bravado that may appeal to some galleries or quarters. But there is a thin, though well-marked line between arrogance and forthrightness that, at least, a seasoned Lawyer with over four decades of practice can afford neither to miss nor to cross.

22. By 17 October 2025, the “*heat of the moment*” or “*single momentary lapse*” plea was no longer a legitimate defence. By then, at least, tempers should have cooled, and wiser counsel should have prevailed. Some grace and repentance, at least on that day, from the contemnor might have prevented the issue from being precipitated. At the same time, we note that, in his interim reply, the contemnor expressed regret and even offered an apology for his conduct and utterances in the Court on 16.10.2025. He has explained that certain statements that he ought not to have made were made by him in the heat of the moment, but without intending any disrespect to the Court. He explained that he had no hand in recording the clip or its becoming viral.

23. Moreover, in his supplementary affidavit of 5th February 2026, the contemnor, after stating that the incident of 16.10.2025 was unfortunate and regrettable, has tendered his unconditional apology for it. He has unconditionally retracted the objectionable utterances. While we do not condone or overlook the contemnor’s conduct and utterances, our institution’s shoulders are broad enough not to be unduly affected by them. Therefore, we are satisfied that this is a matter in which, while we do not approve of the contemnor’s utterances and conduct in the Court on 16.10.2025, we must take a sympathetic and lenient view of the matter.

24. Furthermore, as judges, we are never eager to invoke our contempt jurisdiction to shield judicial prestige or uphold our own dignity. We are, as was so elegantly expressed by **Lord Denning** in **R v Metropolitan Police Commissioner, ex parte Blackburn**, reported in (1968) 2 QB 150, confident that “*such dignity must rest on surer foundations, and that*

courts must therefore endure fair, even outspoken, criticism in the broader interest of free speech, leaving judges, who cannot engage in public controversy, to rely solely on the integrity of their conduct and decisions for vindication”.

25. In the case of **Delhi Judicial Service Association v. State of Gujarat**, reported in (1991) 4 SCC 406, the Hon’ble Supreme Court held that it is the people who have a vital stake in the fair and effective administration of justice, and the Court, therefore, has the duty to protect its authority and dignity by exercising the power to punish for contempt. This power is to be exercised sparingly, not to vindicate the dignity of the Court against insult or injury, but to safeguard the proper administration of justice and to prevent any obstruction, interference, or impediment thereto.

26. In **Ram Partap Sharma and Ors v. Daya Nand**, reported in AIR 1977 SC 809, the Hon’ble Supreme Court held that the elementary basis for accepting an apology is a finding of committal of contempt. Here, as noted by us, hereinabove, we are satisfied that the utterances and conduct of the contemnor were contemptuous. Nevertheless, the contemnor has tendered his unconditional apology. He has pleaded that his utterances on 16.10.2025 were the result of a single momentary lapse and were made in the heat of the moment. He has also referred to his long legal career spanning more than four decades and to the responsible positions he has held in the Bar Association and the Bar Council. He has further expressed deep regret for the incident that occurred on

16.10.2025. Additionally, the Hon'ble Supreme Court has requested this court to consider the contemnor's apology sympathetically.

27. The apology in this case has been tendered at a sufficiently early stage of the contempt proceedings. Even in the interim reply, the contemnor has expressed his regrets and acknowledged that some of his utterances must have crossed the limits expected of an officer of the Court.

28. **In re: Anil Panjwani, arising out of Civil Appeal No. 7919 of 2001**, the Hon'ble Supreme Court did not condone or overlook the contemnor's objectionable conduct, namely, the scurrilous and scandalous statements made in his affidavit. However, the Hon'ble Apex Court took a sympathetic and lenient view towards him. This was because he offered a genuine, albeit belated, apology with folded hands, expressing sincere remorse.

29. Furthermore, in *Vineeta Srinandan v. High Court of Judicature at Bombay, reported in 2025 INSC 1408*, the Hon'ble Supreme Court reaffirmed that the power to punish for contempt inherently includes the power to forgive where the contemnor shows genuine remorse. The Hon'ble Court observed that contempt jurisdiction is neither a "personal armour" for judges nor a "sword to silence criticism," and emphasised that mercy must remain an integral part of judicial conscience. Referring to the proviso and Explanation to S. 12 of the Contempt of Courts Act, 1971, the Hon'ble Supreme Court held that an apology may be accepted if it is bona fide, and that it shall not be rejected merely because it is

qualified or conditional. Thus, where sincere repentance is shown, the Court is empowered to discharge the contemnor or remit the punishment.

30. Therefore, having considered the facts, circumstances and the dicta of the Hon'ble Apex Court, we accept the contemnor's apology and drop the contempt proceedings. We do so in the fond hope and expectation that the contemnor, a legal practitioner in this Court who has practised for more than four decades, will, in future, display restraint and not indulge in any misadventure of scandalising or lowering the authority of this institution, or otherwise interfere with or obstruct the administration of justice in any manner.

31. The *suo motu* contempt petition is disposed of in the above terms.

32. Interim applications, if any, do not survive and are disposed of.

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

(Sujit Narayan Prasad, J.)

(Rongon Mukhopadhyay, J.)

(Ananda Sen, J.)

(Rajesh Shankar, J.)

February 16, 2026

N.A.F.R.

VK

Uploaded on 16.02.2026.