



2026:DHC:6999-DB



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

Date of decision: 20th August, 2026

Uploaded on: 22nd August, 2026

CNR No. DLHC010259732026

+ **CONT.CAS.(CRL) 9/2026**

DELHI HIGH COURT BAR ASSOCIATIONPetitioner

Through: Mr. N. Hariharan, Mr. Sacchin Puri,
Mr. Rakesh Tiku and Ms. Prem Lata
Bansal, Sr. Advs. with Mr. Vikram
Singh Panwar, Mr. Kunal Malhotra,
Mr. B.S. Dhir, Ms. Kajal Chandra, Ms.
Vidhi Gupta, Mr. Amit Choudhary,
Ms. Chandrika Gupta, Mr. Shrey
Sharawat, Mr. Nitesh Mehra, Mr.
Lakshy Kaushik, Mr. Aman Shreyas,
Ms. Mannat Tipnis, Ms. Punya Rekha
Angara and Mr. Aman Akhtar, Advs.
for DHCBA.

versus

DR KAPIL KAKAR & ORS.Respondents

Through: Respondent No.1 in person.
Mr. Varun Pathak, Mr. Amee Rana,
Mr. Akhil Shandilya, Mr. Vishwajeet
Deshmukh and Mr. Tanuj Sharma,
Advs. for R-2/Meta Platforms Inc.
Mr. Deepak Gogia, Mr. Aadhar
Nautiyal and Ms. Shivangi Kohli,
Advs. for X. Corp.
Mr. Kapil Wadhwa and Mr. Priyanshi
Bhageria, Advs. for R-2.
Mr. Abhishek K. Singh, Adv. for R-5.

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CORAM:
JUSTICE PRATHIBA M. SINGH
JUSTICE VIKAS MAHAJAN

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.

CRL.M.A. 17927/2026

2. This is an application filed by the Petitioner under Section 528 - BNSS, seeking interim directions to the Respondents for Removal/Takedown/Disabling access to the impugned contemptuous material, restraint against further publication, preservation of metadata and disclosure of publication details.

3. At the outset, today, the Court has watched the three videos containing the allegedly contemptuous content, which have been placed on record by the Delhi High Court Bar Association.

4. Let the said videos be made a part of the record.

5. The Contemnor/Respondent No. 1– Dr. Kapil Kakar is appearing in person before the Court today.

6. On a query from the Court, he has informed the Court that the three videos which were impugned before this Court are no longer made available by him online on any platform as on date.

7. All the remaining Respondents namely Meta Platforms Inc., Google LLC, X Corp, LinkedIn Corporation have also confirmed to the Court that pursuant to the order passed by this Court dated 8th June, 2026 and the subsequent order dated 12th June, 2026, all the URLs that were provided by the Delhi High Court Bar Association in the present writ petition have all been either blocked or taken down.



8. If there are any further links or URLs which contain the impugned videos, the Registrar General of this Court shall immediately be informed of the same and intimation shall be given to the appropriate platform by the worthy Registrar General for removal/ blocking/ taking down of the same in terms of para 28 (iv) of the order dated 8th June 2026, which reads as under:

“28....

(iv) Respondent Nos. 2 to 5 shall take down, remove, disable access to, and block any subsequently discovered URLs containing the Subject Video(s) or any identical, mirrored, modified, edited, clipped, reproduced, re-uploaded, or substantially similar content, upon notification by the Registrar General of this Court within 24 hours of receiving such notification(s) and such notification(s) shall be deemed to be included as part of this order.”

9. The application is disposed of in these terms.

CRL.M.A. 23650/2026

10. This is an application filed by Respondent No. 1 seeking recusal of the Bench from hearing this matter.

11. Respondent No.1/contemnor submits that in view of the order dated 5th August, 2026, he does not wish to press this application anymore.

12. Accordingly, the same is dismissed as not pressed.

CRL.M.A. 24048/2026

13. This is an application filed by the Contemnor/Respondent No.1 seeking recall of the *ex parte* order dated 8th June, 2026 passed by this Court, in so far as all his social media accounts have been blocked.

14. As stated above, the Court has viewed all the three videos containing the alleged contemptuous content which have been shown to the Court today



by the Petitioner.

15. The Court has also heard the Contemnor/Respondent No.1 and the Id. Senior Counsel appearing for the Petitioner, who is also the President of the Delhi High Court Bar Association.

16. The first objection raised by the Respondent No.1/ Contemnor is that the consent of Id. Standing Counsel (Criminal) u/s 15 of the Contempt of Courts Act, 1971, was not obtained prior to the filing of the present contempt petition, as the copy served upon him did not have the consent.

17. It is secondly submitted that there was no affidavit filed in support of the petition in the copy that was served upon him.

18. Thirdly, it is argued that the relief of blocking of all the accounts of the Respondent No.1/Contemnor is a wide relief and only the impugned videos/content etc., ought to be blocked or taken down. Hence, the order dated 8th June, 2026 deserves to be recalled.

19. The submission on behalf of the Petitioner is that Sh. Sanjay Lao, Standing Counsel (Criminal) had given due consent for filing of the contempt petition, as required u/s 15 of the Contempt of Courts Act, 1971.

20. It is also submitted that the affidavit in support of the contempt petition has also been filed by Mr. Kunal Malhotra, Joint Secretary of the Delhi High Court Bar Association.

21. Insofar as the blocking of Respondent No.1/Contemnor's accounts are concerned, the Petitioner's submission is that the Contemnor had, in another video uploaded by him after the service of contempt petition being made upon him, asked his viewers to download the videos and had also clearly made a statement that even if the URLs/Links are removed upon directions of Court, he would create new accounts and upload the same once again.



22. The Court has heard the Id. Sr. Counsels for the Petitioner and the Contemnor/Respondent No.1. *Vide* order dated 8th June 2026, the predecessor Bench holding Court during vacations, made the following observations against the Respondent no.1 contemnor and issued the following directions:

“16. Before considering the prayer for interim directions, it is necessary to bear in mind that any restraint on publication engages the constitutional guarantee of free speech and must therefore, be exercised with caution. At the same time, freedom of speech does not extend to publications which prima facie scandalise the Court, undermine public confidence in the administration of justice, or interfere with the independent discharge of judicial functions.

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20. Fair criticism of judicial orders and institutions is permissible in law. However, allegations attributing corruption, collusion, criminality or improper motives to Judges, without any lawful basis, stand on an altogether different footing and cannot be equated with legitimate criticism.

21. Examined in the light of the aforesaid principles, the impugned material, prima facie, warrants immediate intervention by this Court.

22. Bare perusal of the videos, which have been uploaded allegedly by Respondent No.1, making allegations of corruption and collusion between sitting Judges of this Court and Government Agencies and labeling a person as habitual offender and murderer, are nothing but absolutely scandalous, contumacious and is a direct interference in Justice Delivery System.

23. While easy access to social media has undeniable



benefits, as it enables information to spread instantaneously, it cannot be overlooked that such tools must be used responsibly and not as instruments to undermine institutions or cause harm to society. Any endeavour to use them, to cause harm to the society or to interfere the independence of Judiciary and to malign the institutions and individuals, cannot be accepted in this country, where Rule of Law and principles enshrined in the Constitution of India, prevail.

24. While individuals who commit such contumacious and scandalous acts, are to be dealt with sternly as per law, but intermediaries can also not be a silent spectator and wait for the directions from the Courts.

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26. Therefore, as soon as it comes to the knowledge of intermediary that there is an information, which is being used to commit an unlawful act, it is under an obligation to immediately remove the information, data or communication link residing in or connected to resource controlled by the intermediary and expeditiously remove or disable access to that material on that resource without evidence in any manner.

27. Learned counsels for Respondent Nos.2, 3 and 5 have shown their sensitivity in undertaking to remove the videos, tweets, clips, posts and captions, etc., immediately from all their respective sites / Applications and also ensured that any endeavour made to upload similar material again by Respondent No.1 or any other person shall be removed forthwith.

28. In view of the aforesaid, directions are given as under:

(i) Respondent No. 2 to 5 and all persons acting for /



on his behalf and / or any persons claiming through or under him, **are restrained from uploading, publishing, hosting, communicating to the public, circulating, distributing, posting, tweeting, sharing, reproducing, transmitting, or otherwise or making available, whether directly or indirectly, the Subject Video(s) above, or any identical, mirrored, modified, edited, clipped, reproduced, re-uploaded, or substantially similar version thereof on any platform, website, social media account, channel, handle, application, WhatsApp or medium whatsoever.**

(ii) Respondent Nos. 2 to 5 shall take down, remove, disable access to, and block the URLs containing the Subject Video(s) forthwith, as well as the accounts/handles of the Respondent No.1 and in any case, within 24 hours of receipt of a copy of this Order. shall be also blocked immediately, till further Orders from this Court. Links of the material, as identified are as under:

“YouTube Link:

https://www.youtube.com/watch?v=Dkt9Z5c3C_s

Instagram Link:

<https://www.instagram.com/reel/DZFV1hAzelH/?igsh=ZGdtbmo5dDU3NGN1>

X (formerly Twitter) Link:

<https://x.com/BlackJustice23/status/2061831391332163607?s=20>

LinkedIn Link:

https://www.linkedin.com/posts/drkapilkakar_saketbuildingblackjustice-supremecourtugcPost-7467561032433967104

[UVZe/?utm_source=share&utm_medium=member_desktop&utm_campaign=ACoAAEWXs14BhtVtxJD_Vz0tD-B_ounxK37bvyU](https://www.linkedin.com/posts/drkapilkakar_saketbuildingblackjustice-supremecourtugcPost-7467561032433967104?utm_source=share&utm_medium=member_desktop&utm_campaign=ACoAAEWXs14BhtVtxJD_Vz0tD-B_ounxK37bvyU)

**Google Drive Link:**

https://drive.google.com/file/d/1_PSDPwjLdPc88xiCG53W9kjxNL2oCUCZ/view?usp=sharing

(iii) Respondent No. 2 to 5 **shall further file in a sealed cover / password protected document**, all the available Basic Subscriber Information including names, email addresses, contact number, IP logs and registration details pertaining to the accounts / users responsible for uploading, publishing, hosting, or disseminating the Subject Video(s), within 7 days of receipt of a copy of this Order.

(iv) Respondent Nos. 2 to 5 shall take down, remove, disable access to, and block **any subsequently discovered URLs** containing the Subject Video(s) or any identical, mirrored, modified, edited, clipped, reproduced, re-uploaded, or substantially similar content, upon notification by the Registrar General of this Court within 24 hours of receiving such notification(s) and such notification(s) shall be deemed to be included as part of this order.

23. Insofar as the first two objections are concerned, a perusal of the record reveals that the consent of Sh. Sanjay Lao, Id. Standing Counsel (Criminal), GNCTD, has been placed on record. The affidavit of Mr. Kunal Malhotra, Joint Secretary, DHCBA has also been filed in support of the contempt petition.

24. The objection raised by the Contemnor appears to be that the copy of the petition which was served to him by way of advance service did not contain the said consent of the Id. Standing Counsel (Criminal), as also the affidavit of the concerned person from the Petitioner-Association.

25. The videos were uploaded by the Respondent No.1 on 2nd June, 2026,



4th June, 2026 and 5th June, 2026. As per the petition, since the same had come to the knowledge of the Delhi High Court Bar Association, and they had immediately taken urgent steps for filing of the present contempt petition on 8th June, 2026, it is possible that the copies of the consent and the affidavit in support of the petition may not have been served upon the Contemnor/Respondent No.1.

26. As per paragraph 8 of the petition as well, it is clear that the consent had already been sought and the filing had been done after obtaining the consent.

27. Be that as it may, Contemnor/Respondent No.1, who was served with the petition, did not choose to appear before the Court on the said date *i.e.* on 8th June, 2026, when the petition was listed. If he had appeared before the Court, he may have obtained the complete copy of the petition, as filed before the Court, including the copy of the consent and the affidavit.

28. At this stage, the Court is concerned with what is part of the record and the consent of the concerned Standing Counsel having been obtained and the supporting affidavit having been filed, these two objections are not justified and are meritless. The said objections are thus, rejected.

29. Insofar as the objection relating to blocking of the Contemnor/Respondent No.1's social media accounts are concerned; the Court has viewed all the three videos that have been placed on record by the Petitioner-Association today.

30. Out of the three videos, the first two videos are the ones which were uploaded by the Contemnor/Respondent No. 1 and were initially impugned in this petition. The order dated 8th June, 2026 was passed in respect of taking down/deletion of these two videos. In these two videos, the statements made



by the Contemnor/Respondent No. 1 against a Id. Single Judge of this Court and the Judiciary in general include:

- i. Murders judges *karte hai*;
- ii. That there is '*gehra* corruption' between MCD Lawyers and Judges of this Court;
- iii. *kya Judge ko jail bheja jayega? Phaansi nahin dena chahiye?*
- iv. Using of words like 'real criminal', 'murderer', 'shameless to the core', 'injustice *ke* milords', 'habitual offender' for a sitting Id. Single Judge of this Court;
- v. Levelling allegations against the sitting Id. Single Judge of this Court of being involved in corruption, favouring one party over the other, granting reliefs in favour of big corporates,
- vi. Engaging in a '*quid pro quo*' relationship with big corporates, threatening the lawyers into withdrawing their petitions, playing with lives of young people and being involved in 'settings' with Government agencies and big corporations;
- vii. That MCD lawyers should be sent to jail;
- viii. That Judges who wish to favour the authorities threaten the lawyers for the Petitioners – making them withdraw the petitions;

In view of the statements made in the video, the Court had, in its order dated 8th June 2026 observed that while fair criticism is permissible, allegations made by the Respondent no.1, without any basis against Judges and the Judiciary is not legitimate criticism. The Court had observed that such allegations are absolutely scandalous and constitute interference in the Justice delivery system.

31. The third video which was viewed by the Court, was uploaded by the



Contemnor/Respondent No. 1 after the advance service of the petition was made to him. The transcription of the 3rd video uploaded by the Contemnor/Respondent No. 1 is extracted below:

“Dear friends, mai Dr. Kapil Kakkar producer of web series Black Justice. Ek bahut hi short aur important video yeh main bana raha hoon ki kal raat ko Delhi High Court Bar Association ka mujhe ek mail aata hai ki mere upar wo contempt kar rahe hain jo maine xxx jo judge jiski wajah se Saket ka ek building jo giri thi with facts maine aap logon ke saath disclose kiya tha. Toh ab abhi-abhi maine dekha hai ki Live Law mein ki yeh order jo unhone concise form mein describe kiya hai, yeh pass hua hai. Yeh main aapko isliye bata raha hoon kyonki jo hamara Facebook ka handle hai, Twitter ka handle hai, YouTube handle hai, Instagram hai, yeh sab block hone wala hai. Toh aap jaldi se jaldi agar aap videos download kar sakte hain mere kar lijiye please. Aur doosra poori koshish kariye ki aap mere saath mere doosre account Dr. Kapil Kakkar jahan pe bhi mera ek Instagram personal hai us pe aap mujhe join kariye. Wahan pe main ab se upload karunga. Toh ab aapki screen pe aa raha hoga this is what apparently the order will move towards.

Toh jaise aapne dekha toh they are going to block my handle. So kindly follow me jahan pe bhi aapko Dr. Kapil Kakkar If I am making a new Instagram account. Toh ye shayad Black Justice ko ye log block kar rahe hain. Toh kahin pe bhi aapko dikhe toh aap wo wali cheez phir follow karein. Main wahan par videos upload karunga. Thank you.”

32. The third video clearly shows that the Contemnor/Respondent No.1 was aware of the filing of the contempt petition and also apprehended that his



accounts would be blocked. Despite that, Respondent No.1 categorically threatened that he may be creating a new Instagram handle and new accounts on other social media platforms where his further videos/content could be made available. It is under these circumstances that the order dated 12th June, 2026 was passed in respect of taking down/deletion of that video. The relevant portion of the said order is set out below:

“4. It is submitted in the Application, that the main contemnor was Respondent No.1, but in Paragraph No.28(i) of Order dated 08.06.2026 directions have been given to Respondent Nos.2 to 5, when in fact, it should have been given to Respondent No.1.

5. Considering the record, it is evident that directions in Clause (i) of Paragraph No.28 were intended for Respondent No.1, the same accordingly, stands clarified and Respondent No.1 is directed to abide by the directions given in Paragraph No.28(i).

6. It is further submitted that two links of Instagram videos, as indicated in the Application have not been mentioned.

7. These links of Instagram, which are (i)<https://www.instagram.com/reel/DZFV1hAze1H/?igsh=ZGdtbmo5dDU3NGN1>

(ii)<https://www.instagram.com/reel/DZKiFGOxMHY/?igsh=MXZwZ16Z29pd202dg%3D%3D>, also be included in Paragraph 28(ii).

8. It is further submitted that the link of Google Drive, as indicated in Paragraph 28(ii), are required to be preserved for the purpose of evidence in future, and not to be removed.

9. Accordingly, the link of the Google Drive, as mentioned in Paragraph 28(ii) not be removed and shall be preserved as and when needed/directed by the Court.

10. It is further submitted that there are more links, which also have to be included in Paragraph 28(ii) with directions for their removal.



11. Accordingly, the links provided as under, also be added in Paragraph 28(ii) for their removal :

(i) <https://www.facebook.com/share/v/14eRqrV4GAs/> ;
(ii) <https://www.instagram.com/reel/DZKiFGOxMHY/?igsh=MXZwZW16Z29pd202dg%3D%3D> ; and
(iii) https://www.linkedin.com/posts/drkapilkakar_blackjusticesupremecourt-judiciaryugcPost7468504750200680448-ajRZ/?utm_source=share&utm_medium=member_desktop&rcm=ACoAAEWXs14BhtVtxJD_Vz0tD-B_ounxK37bvyU

12. Learned Senior Advocates for the Petitioner further submit that attendance of some Advocates have not been indicated in Order dated 08.06.2026 and the same is now duly recorded.

13. It is also submitted that Respondent No.1 has been duly served, which is clearly acknowledged by him in his videos, and after getting to know about this Petition and the Order of this Court, he can further be seen stating in his videos on Instagram instigating people to download and forward/circulate the offending videos/material, which reflects gross conduct on the part of Respondent No.1. Furthermore, despite receiving the Notice of Petition, he is intentionally not appearing before the Court.”

33. In this background, the blocking of all the social media accounts of the Petitioner is fully justified and does not deserve to be recalled.

34. The application is thus disposed of in these terms.

CONT.CAS.(CRL) 9/2026 & CRL.M.A. 23651/2026

35. The Contemnor/Respondent No.1 at this stage submits that he wishes to engage a lawyer to argue the main contempt petition, as well as the discharge application filed by him.

36. In view of the content of the impugned videos which are *prima facie*



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contemptuous, this Court deems it appropriate to take cognizance u/s 15 of the Contempt of Courts Act, 1971. Accordingly, a formal show cause notice under Rule 10 of the Contempt of Courts (Delhi High Court) Rules, 2025 be issued by the Registry upon Respondent No. 1 as to why contempt action be not initiated against him.

37. A Reply has already been filed by the Contemnor/Respondent No. 1. If in response to the notice to show cause issued today, the Contemnor/Respondent No.1 wishes to file any reply affidavit, he is free to do so. Let the same be filed in two weeks.

38. List the contempt petition and the application for discharge, for hearing on 7th September, 2026 at 02:30 p.m.

PRATHIBA M. SINGH
JUDGE

VIKAS MAHAJAN
JUDGE

AUGUST 20, 2026/dss/ss

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By:DEEPAK SINGH
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