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**1**

IN THE SUPREME COURT OF INDIA  
CRIMINAL CONTEMPT JURISDICTION

I.A. No. OF 2022

IN

CONMT. PET.(Crl.) No. 2 of 2020

IN THE MATTER OF:-

Shrirang Katneshwarkar & Ors. ...Petitioner

VERSUS

Kunal Kamra ...Alleged Contemnor/Respondent

**AND IN THE MATTER OF:-**

Ashutosh J. Dubey,

Advocate,

At Post Vangaon, Darshan Lifestyle,

Tanishq Building, Wing-E,

Room No. E-7, Taluka Dahanu,

District Palghar-401103

Maharashtra

...Applicant

**APPLICATION FOR INTERVENTION**

To,

Hon'ble the Chief Justice of India and His Hon'ble Companion

Justices of the Hon'ble Supreme Court of India

The humble Application of the

Applicant abovenamed

**MOST RESPECTFULLY SHOWETH:-**

1. That the captioned Criminal Contempt Petition has been filed by the Petitioners herein against the Alleged Contemnor for various tweets that were published by him during and after the hearing of SLP Diary No. 24646 of 2020 dated 11.11.2020. The details of the various tweets form part of the captioned Criminal Contempt Petition.
2. That the Applicant is a practicing Advocate in Hon'ble High Court of Judicature at Bombay and a law abiding citizen who voices his opinions on various social media handles which also includes a verified handle on Twitter, a social media platform.
3. That the alleged contemnor is an artist/comedian with 2.2 Million followers on Twitter and also posts various videos in the form of Stand-up Comedy on the YouTube, a video sharing platform, where he has 2.01 Million subscribers.
4. That on 25/02/2022, the alleged contemnor uploaded a video on YouTube titled as "BE LIKE: A Stand-up Comedy Special by Kaju Shrivastava". The video URL link is hereunder mentioned <https://youtu.be/ilPWvEDXjb8>.
5. That in the above-mentioned video, the alleged contemnor has uttered the disrespectful and derogatory words against

the Hon'ble Supreme Court of India as follows:

- i. The alleged contemnor claimed that 'he has more respect for a food court of a shopping mall than the top(Apex) court.
  - ii. Supreme Court is a Brahmin Baniya affair and it did not represent different cultures.
  - iii. While speaking about the Captioned Contempt Case filed against the alleged Contemnor, the alleged Contemnor made following remark, "Dear Supreme Court, *kal ki baatein bhul jaa, la\*da pakad ke jhul ja*" (Forget yesterday's talk, come swing on my p\*\*\*s) at 50:39 in the video.
6. That after viewing the abovementioned video, the applicant wrote to Learned Attorney General For India, Mr. K.K Venugopal on 04/03/2022 seeking latter's "consent" to file a criminal contempt petition against the alleged contemnor for using the abovementioned derogatory remarks against the Hon'ble Supreme Court of India. Hereto marked and annexed is the true copy of the letter dt. 04/03/2022 addressed by the applicant to the Learned Attorney General as Annexure A-1 at pages 9 to 11)

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7. That after going through the video and after examining the request made by the applicant, Learned Attorney General For India by his letter dt. 15/04/2022 addressed the applicant as follows:

“I have examined your request. I have already granted consent for initiation of contempt proceedings for criminal contempt of the Supreme Court of India against Mr. Kunal Kamra, and those proceedings are currently pending before this Court. The fresh statements said to have been made by Mr. Kamra i.e. “*kal ki baat bhul jaa, l\*oda pakad ke jhul ja*” are in respect of very contempt proceedings against him.

The other statements made by him which you have pointed out, i.e. that he “has more respect for a food court of a shopping mall than the top (Apex) Court” and “the Supreme Court is a “*Brahmin Baniya Affair*” and it does not represent different cultures” were made in the same video.

It would therefore be more appropriate for to file a suitable application to place these statements before the Supreme Court in the pending matter, which may, if the Court deems fit, be relevant as an aggravating factor insofar as the question of punishment is

concerned"

Thus the Learned Attorney General has granted consent to the applicant to file a suitable application in the pending contempt proceedings. Being hereto marked and annexed is the true copy of Consent Letter dt. 15/04/2022 by Learned Attorney General as **Annexure-A2 at pages 12**)

8. In light of the above mentioned circumstances, the Applicant is filing the present application for intervention in the Captioned Criminal Contempt Petition as per the consent granted by Learned Attorney General For India to place the abovementioned derogatory statements in the captioned matter, made by the alleged contemnor against the Hon'ble Supreme Court of India, so as to assist this Hon'ble Court.
9. That this application is bona fide and made in the interest of justice.

#### PRAYER

It is most respectfully prayed that this Hon'ble Court may be pleased to:

- a) Permit the Applicant to intervene in the present Criminal Contempt Petition;

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b) Pass such further or other order(s) as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and for the ends of justice.

AND FOR THIS ACT OF KINDNESS THE APPLICANT SHALL BE EVER GRATEFUL.

Drawn by:  
Siddharth  
Chapalgaonkar and  
Aditya Manubarwala,  
Advocates

Filed by:

[BHARAT T. MANUBARWALA]  
(Advocate for the Applicant)

Filed on: 4.5.2022



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IN THE SUPREME COURT OF INDIA,  
CRIMINAL CONTEMPT JURISDICTION

I.A. No. OF 2022

IN

CONMT. PET.(Cri.) No. 2 of 2020

IN THE MATTER OF:-

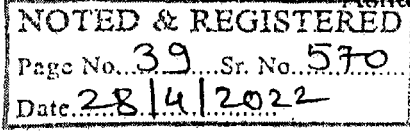
Shrirang Katneshwarkar & Ors. ...Petitioner

Versus

Kunal Kamra ...Alleged Contemnor/Respondent

AND IN THE MATTER OF:-

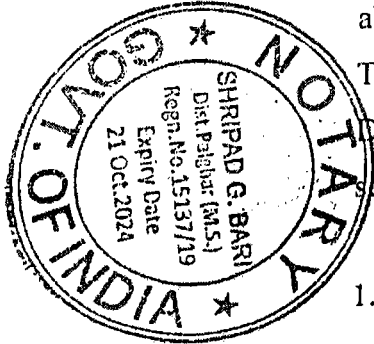
Ashutosh J. Dubey ...Applicant



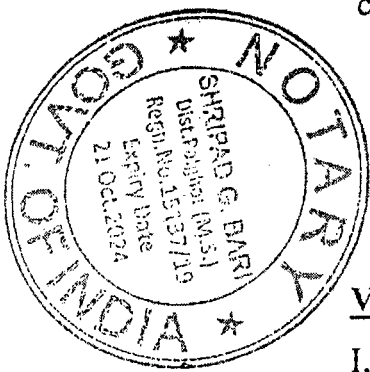
AFFIDAVIT

I, Ashutosh J. Dubey S/o. Jamidar Dubey, aged about 29 years R/o. At Post Vangaon, Darshan Lifestyle, Tanishq Building, Wing-E, Room No. E-7, Taluka Dahanu, District Palghar, Mumbai-401103, Maharashtra, do hereby solemnly affirm and declare as under:

1. That I am the Applicant in the above matter and am conversant with the facts of the above matter and am competent to swear this affidavit.
2. I say that the contents of paras 1 to of the accompanying application for Intervention are true and correct to the best of my knowledge and belief and nothing material has been concealed therefrom.



3. The annexures filed with the application are true and correct copies of their respective originals.

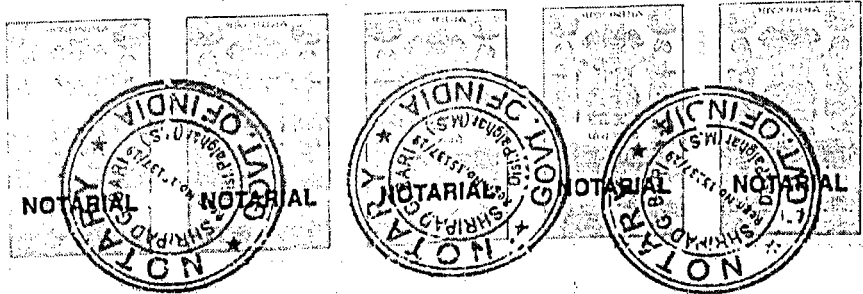


*[Signature]*  
Deponent

**VERIFICATION:**

I, the above named deponent do hereby verify that the contents of paras 1 to 3 of this affidavit are true and correct to the best of my knowledge and belief and nothing material has been concealed therefrom. Verified on this 28<sup>th</sup> day of April, 2022 at Mumbai, Maharashtra

*[Signature]*  
Deponent



*[Signature]*  
Signature / Thumb Attested  
Not responsible for  
contents therein

**BEFORE ME  
NOTARY**  
*[Signature]*  
28/04/2022  
SHRIPAD G. BARI  
ADVOCATE & NOTARY  
Main Road, Below Old T.D.C.C. Bank,  
At-Post & Tal.-Dahanu, Dist.-Palghar-401601.



**NOTARISED**

*[Signature]*  
28/04/22  
28/04/2022  
SHRIPAD G. BARI  
ADVOCATE & NOTARY  
Main Road, Below Old T.D.C.C. Bank,  
At-Post & Tal.-Dahanu, Dist.-Palghar-401601.

**NOTED & REGISTERED**  
Sr. No. 570 / 2022



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ANNEXURE-A1

ASHUTOSH J. DUBEY

Advocate, Bombay High Court

Dated: 04.03.2022

To  
The Hon'ble Chief Justice of India,  
Supreme Court of India,  
New Delhi,

Your Lordship,

This is to bring to your kind notice, it is with great concern that I thought of approaching your lordship as and by way of this present letter, to bring to your Lordships notice the Video of which Mr. Kunal Kamra is an Author. (<https://youtu.be/ilPWvEDXjb8>).

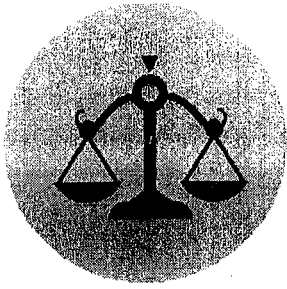
The contemnor is an artist/comedian with 2.2 Million followers on Twitter. At this juncture it becomes pertinent to draw your lordships attention to the mockery undertaken by Mr. Kunal Kamra. Mr. Kamar has openly mocked and disrespected the Hon'ble "Supreme Court Of India", while making disparaging remarks against the Supreme Court, Kamra claimed that 'he has more respect for a food court of a shopping mall than the top ( Apex ) court. He further alleged that the Supreme Court is a "Brahmin Baniya" affair and it did not represent different cultures.' The aforementioned events and the speeches delivered during the same are not mere opinions instead it spreads a propaganda of disrespecting the Apex court, in crux the entire judicial system of India.

As your lordship also understands that the Sophisticated civilisation can only be established through the laws of the land and the prudent system which dispenses justice at the highest efficiency. But most important of all is the trust and faith of the subjects of the State which nourishes the existing infrastructure/nomenclature and brings it to life. This is not just the mockery of Hon'ble Supreme Court but the innuendo involved is more deep rooted, to drive the minds towards becoming rebellions. 'Rebels are always important when they thrive for revolution but become hooligans when deceived by conspiring minds like Mr. Kunal Kamra'.

At Post Vangaon, Darshan Lifestyle, Tanishq Building, wing-E, Room No. E7, Tal.

Dahanu, Dist. Palghar 401103

Contact No.: 9673470737 | [advashutoshjdubey@gmail.com](mailto:advashutoshjdubey@gmail.com)



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# ASHUTOSH J. DUBEY

Advocate, Bombay High Court

That our constitution guarantees freedom of speech and expression freedom is not absolute as envisaged by our framers under Article 19(2). That the contemnor has sought to abuse this very freedom in order to scandalise and defame the institution as a whole. Though a fair and constructive criticism of a judgment is permissible but the same cannot be exceeded to an extent where it mocks the fundamentals of judiciary.

Propagandist while portraying him as comedian Kunal Kamra, on his new 'comedy' show showcased upon Kunal Kamra (Youtube Channel) namely- "Be Like" made derogatory remarks addressing the Hon'ble Supreme Court of India.

While speaking about the contempt of case filed against him in the top court, Kamra said, "Dear Supreme Court. kal ki baat bhul jaa, l\*vda pakad ke ihul ja (forget yesterday's talk, come swing on my penis)."

As held by this Hon'ble Court in **IN RE: PRASHANT BHUSHAN AND ANR.** (SUO MOTU CONTEMPT PETITION (CRL.) NO.1 OF 2020 )

35. The Judges have to express their opinion by their judgments, and they cannot enter into public debate or go to press. It is very easy to make any allegation against the Judges in the newspaper and media. Judges have to be the silent sufferer of such allegations and they cannot counter such allegations publicly by going on public platforms, newspapers or media. Nor can they write anything about the current of the varied wild allegation made, except when they are dealing with the matter.

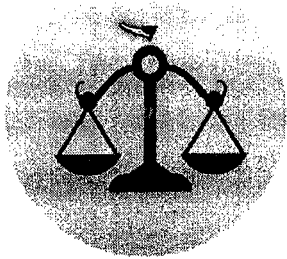
Supreme Court in December 2020 issued a notice to Kunal Kamra seeking contempt proceedings after his contemptuous remarks against the Judiciary in his bid to become a liberal 'hero' or a 'martyr'. In one of his tweets, he had shown CJI Arvind Bobde the middle finger and in another, he had painted the Supreme Court in saffron color to allege that it had become a puppet of the NDA Government.

In the first tweet, Kamra compared the Supreme Court to a Supreme Joke. In the next tweet, he wrote, "The pace at which the Supreme Court operates in matters of "National Interests" it's time we replace Mahatma Gandhi's photo with Harish Salve Photo.

At Post Vangaon, Darshan Lifestyle, Tanishq Building, wing-E, Room No. E7, Tal.

Dahanu, Dist. Palghar 401103

Contact No.: 9673470737 | [advashutoshjDubey@gmail.com](mailto:advashutoshjDubey@gmail.com)



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# ASHUTOSH J. DUBEY

Advocate, Bombay High Court

The foregoing facts and circumstances makes it clear that the Mocking and Abusing Video by Kunal Kamra is a clear abuse of the constitutional limit as the rights guaranteed under Article 19(1) of the Constitution as it completely disregards the reasonable restrictions under Article 19(2) of the Constitution Of India.

That it will give wrong message to the citizens throughout the country if such rabble rousing is allowed under the veil of free speech against the highest court of this country and in particular against the "Supreme Court of India". I'm of the view that, in the given circumstance, this court has to come for its own rescue and with this very hope and with great anticipation I have addressed this letter to your Lordship

After placing entire factual matrix in front of your lordship, I humbly pray before your lordship that this Hon'ble Court may take Suo moto cognizance of the acts committed by Mr. Kunal Kamara which are not a mere expression of opinion but are driven by ill intended propaganda to destruct and cause disbelief in minds of people about the Judicial Institutions.

Yours Sincerely,

**ASHUTOSH J. DUBEY**

(Advocate, Bombay High Court)

*True Copy*

At Post Vangaon, Darshan Lifestyle, Tanishq Building, wing-E, Room No. E7, Tal.

Dahanu, Dist. Palghar 401103

Contact No.: 9673470737 | [advashutoshjdubey@gmail.com](mailto:advashutoshjdubey@gmail.com)



**K.K. Venugopal**  
Attorney General for India

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**ANNEXURE-A-2**

Supreme Court of India  
New Delhi - 110001  
Tel. : 23383254, 20818150  
Fax : 23782101

April 15, 2022

Mr. Ashutosh J. Dubey  
Advocate  
At Post Vangaon, Darshan Lifestyle,  
Tanishq Building, Wing-E,  
Room No.E7, Tal Dahanu,  
Dist. Palghar - 401103  
Maharashtra


Subject: Your request for consent to initiate proceedings for criminal contempt under Section 15 of the Contempt of Courts Act, 1971 read with Rule 3(c) of the Rules to Regulate Proceedings for Contempt of the Supreme Court of India, 1975

I am in receipt of your request for consent to initiate proceedings for criminal contempt of the Supreme Court of India against Mr. Kunal Kamra.

I have examined your request. I have already granted consent for initiation of proceedings for criminal contempt of the Supreme Court of India against Mr. Kunal Kamra, and those proceedings are currently pending before the Court. The fresh statements said to have been made by Mr. Kamra i.e. "*kal ki baat bhul jaa, l\*nda pakad ke jhul ja*", are in respect of those very contempt proceedings which are pending against him.

The other statements made by him which you have pointed out, i.e. that he "has more respect for a food court of a shopping mall than the top (Apex) court" and the Supreme Court is a "*Brahmin Baniya affair*" and it does not represent different cultures, were made in the same video.

It would therefore be more appropriate for you to file a suitable application to place these statements before the Supreme Court in the pending matter, which may, if the Court deems fit, be relevant as an aggravating factor insofar as the question of punishment is concerned.

  
K.K. Venugopal

True copy