

ITEM NO.28

COURT NO.3

SECTION II

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Cr1.) No(s). 3531/2024

(Arising out of impugned final judgment and order dated 15-02-2024 in SBCRLMP No. 181/2024 passed by the High Court Of Judicature For Rajasthan At Jaipur)

SUMAN & ORS.

Petitioner(s)

VERSUS

STATE OF RAJASTHAN & ANR.

Respondent(s)

(FOR ADMISSION and I.R. and IA No.62454/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.62455/2024-EXEMPTION FROM FILING O.T.)

Date : 15-03-2024 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI
HON'BLE MR. JUSTICE SANDEEP MEHTA

For Petitioner(s)

Mr. R.K. Rathore, Adv.
Mr. Kuldip Singh, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

1. The petitioners have averred in the petition that they have been pressurized by learned Judge of the High Court to withdraw the petition filed under Section 482 Cr.P.C. It is stated that the petitioners having no other option was forced to withdraw such a petition filed under Section 482 Cr.P.C. on account of the pressure exercised by learned Judge of the High

Court.

2. The averments so made, in our view, are contemptuous in nature. A Constitution Bench of this Court in the case of M. Y. Shareef And Another Vs. The Hon'ble Judges of the High Court of Nagpur And Others., has held that even a lawyer who subscribe his signature to a contemptuous observation is equally guilty for committing contempt of Court.

3. Issue notice to Shri Virendra Yadav, S/o Mataden, who has affirmed the affidavit and also to Mr. Kuldip Singh, Advocate on Record for the petitioner(s), who has signed the petition calling upon them to show cause as to why an action for committing contempt of the Court be not initiated against them, returnable in four weeks.

4. While we are dictating the order Mr. R.K. Rathore, learned counsel, tried to obstruct the functioning by interrupting every now and then. Even after the order is passed, he has started making gesture exhibiting surprise for the order that we have passed.

5. Issue notice to Mr. R.K.Rathore, also.

(DEEPAK SINGH)
ASST. REGISTRAR-cum-PS

(ANJU KAPOOR)
COURT MASTER (NSH)