



**HIGH COURT OF JUDICATURE FOR RAJASTHAN AT
JODHPUR**

D.B. Criminal Contempt Petition No. 1/2020

Smt Garima Sauda, Sr Civil Judge And Additional Chief Judicial Magistrate, Sojat, Pali, Aged About 36 Years, By Caste Charan, At Present Sr. Civil Judge And Additional Chief Judicial Magistrate, Sojat, Pali, Rajasthan..

----Petitioner

Versus

1. Goverdhan Singh, Advocate, Mobile No. 9828090666, R/o Unknown.
2. U.P. Singh, R/o Unknown.
3. Bhawani Singh Janwa, R/o Unknown.
4. Bhagwan Singh Shekhawat, R/o Unknown.
5. Punam Chand Nen Bana, R/o Unknown.
6. Rajesh Balwada, R/o Unknown.
7. Mahaveer Po., R/o Unknown.
8. S.R. Khemka Swami, R/o Unknown.

----Respondents

For Petitioner(s) : Mr. Sandeep Shah, AAG through VC
For Respondent(s) : Mr. Goverdhan Singh, respondent
No. 1 present in person through VC

**HON'BLE THE CHIEF JUSTICE MR. AKIL KURESHI
HON'BLE MS. JUSTICE REKHA BORANA**

Order

11/01/2022

The contempt proceedings arise out of the petition filed by the judicial officer urging that contempt action be taken against the present respondent No. 1, who is a practicing advocate. The case of the judicial officer is that in relation to a criminal case which was pending before her, the respondent No. 1 had made highly objectionable comment on his facebook page. Several



people responded to this comment, which responses were also objectionable and contemptuous.

We have perused the facebook post of the respondent and heard Shri Sandeep Shah, Additional Advocate General who was appointed as Amicus Curiae and the respondent no.1 who appears in person.

The facebook post in question refers to various dates on which the criminal case was posted from time to time. Thereafter, the author of the post i.e. respondent no.1 herein has stated that after several dates, no justice is being done. Whether the complaint had to be registered as F.I.R. or not is all that was required to be decided. Thereafter, he has made following remarks:-

"Had asked for justice and got only unlimited adjournments".

In our opinion, the action of the respondent no.1 does not amount to contempt of court in any manner. The criminal contempt has been defined in Section 2(c) of the Contempt of Courts Act, 1971 as to mean the publication of any matter or the doing of any other act whatsoever which scandalises or tends to scandalise, or lowers or tends to lower the authority of, any court; or prejudices, or interferes or tends to interfere with, the due course of any judicial proceeding; or interferes or tends to interfere with, or obstructs or tends to obstruct, the administration of justice in any other manner. The remarks of the respondent were in the nature of stating that a particular proceedings had lingered on before the Court for unduly long period of time. That by itself in isolation cannot be seen as contemptuous. The reference to the remarks of several other people in response to



this post which may be highly objectionable would not turn the action of the present respondent contemptuous, unless a specific design or plan is shown to be in existence.

Under the circumstances, we see no reason to pursue these contempt proceedings any further. The same are terminated.

(REKHA BORANA),J

(AKIL KURESHI),CJ



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