

IN THE SUPREME COURT OF INDIA

INHERENT JURISDICTION

CONTEMPT PETITION (CRIMINAL) NO. ___ OF 2020

IN THE MATTER OF :-

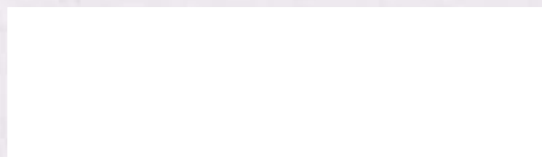
MAHEK MAHESHWARI



.....PETITIONER

VERSUS

1. PRASHANT BHUSHAN



2. TWITTER COMMUNICATIONS INDIA PVT. LTD

C-20, G BLOCK,

NEAR MCA BANDRA KURLA COMPLEX

BANDRA (E), MUMBAI (MH)-400051

.....ALLEGED CONTEMNORS

(CONTEMPT PETITION UNDER ARTICLE 129 OF THE CONSTITUTION OF INDIA READ WITH SECTION 15 OF THE CONTEMPT OF COURTS ACT, 1971 READ WITH RULE 3 OF THE RULES TO REGULATE PROCEEDINGS FOR CONTEMPT OF THE SUPREME COURT, 1975 FOR TAKING SUO MOTO ACTION AGAINST THE CONTEMNOR)

To,

The Hon'ble Chief Justice of India

And his companion Justices of the

Hon'ble Supreme Court of India

The humble petition of the
Petitioner above named:

MOST RESPECTFULLY SHEWETH:

1. That the Petitioner above-named are filing the instant petition seeking initiation of contempt proceedings against the above-named alleged Contemnor 'Prashant bhushan' who is an Advocate by profession had wilfully and deliberately publicly passed the derogatory remark against this Hon'ble Chief Justice of India(CJI) Sh. Sharad Aravind Bobde,
2. That the Contemnor No.1 passed a remark Tagging Picture Of CJI on social Media Platform Twitter on 29th June 2020 at 11:37 A.M that "CJI rides a 50lakh motorcycle belonging to a BJP leader at Raj Bhavan Nagpur, without a mask or helmet, at a time when he keeps

the SC in lockdown mode denying citizens their fundamental right to access Justice!"

3. That the Contemnor No.1 Tweet is of serious nature putting a big question on Sovereign Function of CJI and their abiding nature to the Constitution of India.
4. That the Contemnor No.1 is an Lawyer by profession in public life and influential person due to her profession. Such Remarks of the Contemnor Will seriously affect in knowing the Character and Independent Appearance of the Hon'ble CJI.
5. That the Contemnor No.1 as Said "that CJI keeps SC in Lockdown Mode denying citizens their fundamental right to access Justice!" how can he say that CJI without using the word Hon'ble being a lawyer in the Outer Space Moreover to it accusing him of denying citizens their fundamental right to access justice that too with a exclamation mark suggest his Rude behavior.
6. That the Contemnor No.1 has no rational in saying so, as Supreme Court is into the Vacation period, further Hon'ble CJI and other Hon'ble Justices despite COVID 19 Lockdown are attaining the office in the Spirit of Duty and Compassion risking their Own lives so that Citizens can get access to their fundamental right i.e Right to justice"

7. That the Contemnor No.1 remarks are too Inhuman forgetting that how much Hon'ble CJI and Other Justices stretching themselves to grant justice to the citizens that they allow hearing by Video Conferencing Mode. They are not even enjoying the Vacations Properly. In Summum Bonumm Statement that CJI Denying Fundamental Right to citizens is Totally wrong.
8. That the Contemnor No.1 without applying intelligence commented, if he had used intelligence he must gave a thought that Bike is on Stand and not in Ride Mode.
9. Further Hon'ble Supreme Court is not only in Lockdown but whole Country is in Lockdown Situation. This is Highly offensive to Accuse Hon'ble CJI for Lockdown in Supreme Court that too on Public Platform. Even When Supreme Court is working in the Lockdown.
10. That Even during the hearing of Migrant workers matter during COVID 19 Contemnor No.1 cast aspersion on the Hon'ble Judges taking twitter as platform. Where while hearing Solicitor General during the hearing drew attention of Judges over same where "Justice Kaul told Contemnor no.1 that "every time there is an order where you do not get relief, you insult the institution". "You cast aspersion on the judges, you don't have any respect for the

constitutional bodies. You don't have faith in the judiciary," Justice Kaul said.

Justice Gavai also pulled up Contemnor no.1, saying "if you don't have faith in this institution, why should we hear you at all?"

11. That the Contemnors statement are not only a cheap stunt of Publicity among people but a deliberate attempt to spread hatred in form of Anti India Campaign on to protest and resist in every way against This Hon'ble Court and Judiciary as a Machinery of which Hon'ble CJI is the main Functionary.

12. That Contemnor No.2 usually blocks the twitter handle of the people who tweets such offensive matter and remove such tweets but in this matter it had not taken any such Step.

13. That the Contemnor No.1 statements are of such nature and type which incite feeling of no confidence amongst public in the proceedings of this Hon'ble court and Independent Appearance of the Hon'ble CJI which is very well covered by definition of Criminal Contempt as "Scandalises the Court".

As Reproduced below Criminal contempt defined u/s 2(d) of Contempt of Courts Act 1971.

Criminal contempt includes any act or publication which: (i) 'scandalises' the court, or (ii) prejudices any judicial proceeding, or

(iii) interferes with the administration of justice in any other manner. 'Scandalising the Court' broadly refers to statements or publications which have the effect of undermining public confidence in the judiciary.

14. That the contemnor No.1 statements as a member of Bar are highly irresponsible and are of the nature which are directly tarnishing the image of independent appearance and integrity of the Hon'ble CJ. Further a User with Twitter handle @manavjivan replied to Contemnor no.1 Tweet was Shocking as it gave Hon'ble CJ a Political color. Both the Tweets are annexed as Annexure A1 (Pg 11-14)

15. That in the light the of the Judgement "*R. Muthukrishnan vs The Registrar general of the High Court of Judicature At Madras*" dated 28th January 2019 passed by Hon'ble Supreme Court its para 73 of the Judgement states "It has been seen from time to time that various attacks have been made on the judicial system. It has become very common to the members of the Bar to go to the press/media to criticize the judges in person and to commit sheer contempt by attributing political colours to the judgments. It is nothing less than an act of contempt of gravest form."

Factual matrix culminating into the present petition is as follows:

- a) That Hon'ble CJI participated in a tree plantation function in Nagpur, where an Automobile dealer sent "limited Edition CVO 2020" Harley Davidson
- b) That Hon'ble CJI's photo of the same was tagged was Advocate Prashant Bhushan had passed derogatory and filthy remarks over Hon'ble CJI on the Social Media Platform Twitter. To which one of the user also passed very dirty remark on Hon'ble CJI.
- c) The Tweet by Advocate Prashant Bhushan and one other user's filthy reply Tweet is attached as Annexure A-1 [Page Nos. 11-14]
- d) That Twitter India generally blocks the Accounts of such Person who tweets such irrational Tweets but Twitter India had neither removed the Tweet nor blocked the Twitter handle of Advocate Prashant Bhushan.

In view of the abovementioned facts it is respectfully submitted that this Hon'ble Court may be pleased to:

PRAYERS

- a) Initiate contempt proceedings against the alleged Contemnor/Respondents for wilfully and deliberately Using

Hate/Scandalises Speech against this Hon'ble Court and Entire
Judicial system.

- b) Pass any other or further order/s and/or directions which this
Hon'ble Court may deem fit and proper in the facts and
circumstances of the case.

AND FOR THIS ACT OF KINDNESS, THE PETITIONER AS IN
DUTY BOUND SHALL EVER PRAY.

PARTY IN PERSON

Drawn by: MAHEK MAHESHWARI

Dated: 02nd July 2020

GUNA(M.P)