

- 1 -

IN THE HIGH COURT OF KARNATAKA AT BENGALURU

DATED THIS THE 23RD DAY OF JULY, 2021

PRESENT

THE HON'BLE MR.ABHAY S. OKA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE SURAJ GOVINDARAJ

CRL.CCC NO.2 OF 2021

BETWEEN:

SUO MOTU

... COMPLAINANT

**(BY SRI PRABHULING K.NAVADGI, ADVOCATE GENERAL
A/W SRI VIJAYA KUMAR A PATIL, AGA [ASSISTED THE
HON'BLE COURT])**

AND:

- 1. SRI M.R. PRASANNAKUMAR
PRESIDENT
BAR ASSOCIATION
COURT COMPLEX
KRISHNARAJAPETE**
- 2. SRI K.R. INDRAKUMAR
VICE PRESIDENT
BAR ASSOCIATION
COURT COMPLEX
KRISHNARAJAPETE**
- 3. SRI D.R. MOHAN
PRL. SECRETARY
BAR ASSOCIATION
COURT COMPLEX
KRISHNARAJAPETE**
- 4. SRI M.N. ANVESH
JOINT SECRETARY
BAR ASSOCIATION
COURT COMPLEX, KRISHNARAJAPETE**

5. SRI B.K. YOGESH
TREASURER
BAR ASSOCIATION
COURT COMPLEX
KRISHNARAJAPETE
6. SRI GOVINDEGOWDA
DIRECTOR'S COMMITTEE MEMBER
BAR ASSOCIATION
COURT COMPLEX
KRISHNARAJAPETE
7. SRI S.P. GIRISH
DIRECTOR'S COMMITTEE MEMBER
BAR ASSOCIATION
COURT COMPLEX
KRISHNARAJAPETE
8. SRI SANTHOSH T.K.
DIRECTOR'S COMMITTEE MEMBER
BAR ASSOCIATION
COURT COMPLEX
KRISHNARAJAPETE
9. SRI PRASANNAKUMAR
DIRECTOR'S COMMITTEE MEMBER
BAR ASSOCIATION
COURT COMPLEX
KRISHNARAJAPETE
10. K. MANJULA
DIRECTOR'S COMMITTEE MEMBER
BAR ASSOCIATION
COURT COMPLEX
KRISHNARAJAPETE
11. ASHA H.V.
DIRECTOR'S COMMITTEE MEMBER
BAR ASSOCIATION
COURT COMPLEX
KRISHNARAJAPETE

... ACCUSED

(BY SRI H. PAVAN CHANDRA SHETTY, ADVOCATE)

THIS CRL.CCC IS FILED UNDER SECTION 15 OF THE CONTEMPT OF COURTS ACT, 1971 READ WITH ARTICLE 215 OF THE CONSTITUTION OF INDIA PRAYING TO INITIATE (SUO MOTU) CRIMINAL CONTEMPT OF COURT PROCEEDINGS AGAINST THE ACCUSED HEREIN UNDER THE CONTEMPT OF COURTS ACT, 1971 AND TO PUNISH THEM IN ACCORDANCE WITH LAW.

THIS CRIMINAL CONTEMPT PETITION COMING ON FOR ORDERS THIS DAY, **CHIEF JUSTICE** MADE THE FOLLOWING:

JUDGMENT

The learned counsel appearing for the accused has invited our attention to the affidavit dated 15th July 2021 filed by Sri D.R.Mohan S/o P.Rame Gowda, who is the Principal Secretary of Krishnarajapete Bar Association.

2. We have perused the said affidavit. In the first paragraph of the affidavit it is stated that he is filing the said affidavit for himself and on behalf of the other accused. He has further stated that all the accused have authorised him to file the said affidavit. He has mentioned the names of all the accused in

paragraph 2 of the affidavit. In paragraph 9, he has tendered an unconditional apology. Naturally, the apology is for himself and on behalf of all the other accused. What is important is his statement on oath made in paragraph 10, which reads thus:

"10. I submit that I shall abide by the Judgment of the Hon'ble Apex court in the matter of Ex-Captain Harish Uppal v/s Union of India and Others reported in (2003) 2 SCC 45 and Krishnakant Tamrakar v/s State of Madhya Pradesh reported in (2018) 17 SCC 27 and assure that there shall not be any boycott of courts henceforth."

3. From the said affidavit it appears that the accused have realised their mistake and they have tendered an unconditional apology for abstaining from the Court work. The apology deserves to be accepted especially, in view of the undertaking given in paragraph 10 of the said affidavit by all the accused.

4. Accordingly, we accept the unconditional apology tendered by all the accused and accept the undertaking recorded in paragraph 10 of the affidavit of Sri D.R.Mohan dated 15th July 2021 as undertaking

- 5 -

given by all the accused. In view of the apology and the undertaking, no further action under the Contempt of Courts Act, 1971 is warranted. Accordingly, the notice of contempt issued to the accused stands discharged and the criminal contempt petition is disposed of.

**Sd/-
CHIEF JUSTICE**

**Sd/-
JUDGE**

SN