



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL SUO MOTU CONTEMPT PETITION NO.1 OF 2025

BASAVRAJ
GURAPPA
PATIL

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High Court of Judicature at Bombay
on its own motion

..... Petitioner

Vs.

Mr. Nilesh Ojha & Ors.

..... Respondents

**CORAM: ALOK ARADHE, CJ.,
A. S. CHANDURKAR,
M. S. SONAK,
RAVINDRA V. GHUGE &
A. S. GADKARI, JJ.**

DATE : APRIL 8, 2025

P.C.

A video clip has been brought to the notice of this Court which shows that one Mr.Nilesh Ojha, Advocate held a press conference on 1st April 2025 in connection with Criminal Writ Petition No. 1612 of 2025 which was filed by him on behalf of one Mr.Satish Salian. The said writ petition was listed for hearing at Sr.No.15 on 2nd April 2025 before Division Bench comprising of Hon'ble Smt. Justice Revati Mohite-Dere and Hon'ble Justice Neela Gokhale. We have seen the video clip which was provided to us in a pen drive which was allegedly streamed on *You Tube* and *ABP Majha*. We have also perused the transcripts of the same. The said pen drive is marked **Exhibit-A1** and the transcript is marked **Exhibit-A2**.

2. In the said press conference Mr.Nilesh Ojha, Advocate alleged that one of the sitting Judges viz. Hon'ble Smt. Revati Mohite-Dere is disqualified from hearing the Criminal Writ Petition No. 1612 of 2025 on the following grounds:

(i) Smt. Vandana Chavan is sister of the sitting Judge and is a member of Sharad Pawar NCP group and is an accused in the FIR lodged by him (his client).

(ii) They had applied for grant of sanction to prosecute the sitting Judge as well as the former Chief Justice of this Court for delaying the hearing in the case of Disha Salian. As no communication was received, the sanction is deemed to have been granted under Section 218 of the Bharatiya Nyaya Sanhita, 2023. It has further been stated that office of Hon'ble the President of India has orally informed the petitioner to prosecute the sitting Judge as well as the former Chief Justice of this Court and action is being taken to prosecute them.

(iii) The sitting Judge of this Court has committed forgery of the court records in the matter of one Chanda Kochar and in one another matter and the Petition No.6900 of 2023 is filed before this Court and the same is pending. Therefore, there is conflict of interest and apparent bias.

3. Mr.Nilesh Ojha, Advocate was under an obligation to make submissions, if so advised, with regard to recusal of the Judge before the Division Bench itself on the date of hearing i.e. 2nd April 2025, as it is for the Judge to recuse himself or herself from

hearing the matter. However, instead of making submission before the Bench on 2nd April 2025, Mr. Nilesh Ojha, Advocate held a press conference on 1st April 2025. From perusal of the order sheet dated 2nd April 2025 passed in Criminal Writ Petition No.1216 of 2025 which is marked **Exhibit-A3**, it is evident that Mr.Nilesh Ojha, Advocate on 2nd April 2025 has made a statement before the Division Bench that the Writ Petition pertains to a Bench of Hon'ble Justice Shri Sarang V. Kotwal, considering the reliefs sought for in the Petition. Thereupon, the Division Bench directed the Registry to take steps.

4. The statements in the press conference with regard to the recusal of a sitting Judge of this Court appear to have been made deliberately to scandalize the authority of the Court and a Judge of this Court. The act of publishing interviews *prima facie* amounts to scandalizing this Court by making scandalous and defamatory allegations against a Judge of this Court. The statements also tend to lower the authority of the Court and such allegations also interfere with due course of judicial proceedings. The manner in which the said statements have been made and uploaded on *You Tube* and *ABP Majha*, certainly amounts to causing obstruction in the Administration of Justice. The statements of Mr.Nilesh Ojha, Advocate are *ex facie* contemptuous and amounts to interference in the administration of justice and in the course of judicial proceedings.

5. We are satisfied that the statements made by Mr.Nilesh Ojha, Advocate *prima facie* constitute criminal contempt under the Contempt of Courts Act, 1971.

6. We, therefore, direct the Registry to issue notice to Mr.Nilesh Ojha, Advocate under Rule 9(1) read with Rule 8 of the Contempt of Courts (Bombay High Court) Rules, 1994.

7. At this stage, we take note of the fact that the Parliament has enacted the Information Technology Act, 2000 and has framed rules, viz. Information Technology (Intermediary Guidelines) Rules, 2011.

8. Considering the scandalous and contemptuous nature of offending video, as an interim measure, it is directed that *You Tube* and *ABP Majha* shall remove the video from their channels, forthwith. The Union of India and the State of Maharashtra are directed to ensure that the aforesaid ad-interim orders are implemented forthwith.

9. Mr.Nilesh Ojha, Advocate and *You Tube* and *ABP Majha* are restrained from circulating, re-creating, re-uploading, re-publishing and/or in any manner, shape or form disseminating the same or similar video and write up, in any manner, during pendency of this proceedings.

10. The Union of India, State of Maharashtra, the Bar Council of India, the Bar Council of Maharashtra and Goa, the Bombay Bar Association, the Advocates' Association of Western India, *You Tube* and *ABP Majha* shall be impleaded as party respondents.

11. Learned Additional Solicitor General of India and learned Advocate General for the State of Maharashtra are requested to assist the Court.

12. We also request Mr.Darius Khambata, Senior Advocate and Dr. Milind Sathe, Senior Advocate to assist this Court, as *Amicus*.

13. Issue notice to the remaining respondents, returnable on **29th April 2025 at 2.30 pm.**

(CHIEF JUSTICE)

(A. S. CHANDURKAR, J.)

(M. S. SONAK, J.)

(RAVINDRA V. GHUGE, J.)

(A. S. GADKARI, J.)