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2026:DHC:4293

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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% *Date of Decision: 14.05.2026*

\+ **CRL.REV.P. 134/2026 & CRL.M.A. 6853/2026, CRL.M.A. 13409/2026, CRL.M.A. 13411/2026, CRL.M.A. 13737/2026**

CENTRAL BUREAU OF INVESTIGATION .....Petitioner

Through: Mr. Tushar Mehta, SG, Mr. S.V. Raju and Mr. D.P. Singh, ASG with Mr. Zoheb Hossain, Spl. Counsel for ED with Mr. Manu Mishra, Ms. Garima Saxena, Mr. Annam Venkatesh, Mr. Vivek Gurnani, Panel Counsels, Mr. Pranjal Tripathi, Mr. Imaan Khera, Mr. Bhuvan Kapoor, Mr. Digvijay Dam, Mr. Madhav Goel, Mr. Hitarth Raja and Mr. Digvijay Singh, Advocates with Mr. J.S. Randhawa-DIG, Mr. I.B. Pendhari-SP, Mr. Alok Shahi, ASP and Mr. Naveen, Sub-Inspector for CBI.

versus

KULDEEP SINGH AND ORS. .....Respondents

Through: Mr. Naveen Kumar, Mr. Tushar Agarwal, Mr. Arun Kumar, Mr. Abhishek Mahal and Ms. Rashi Choudhary, Advs. for R-1.
Mr. Pradeep Rana and Mr. Tushar Rohmetra, Advocates for R-2
Mr. Shadan Farasat, Sr. Advocate with Mr. Harshit Anand and Ms. Varisha Sharma, Advocates for R-3.

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Mr. Sumer Singh Boparai and Mr. Surya Pratap Singh, Advocates for R-4.

Mr. Nitesh Rana, Ms. Aditi Singh, Ms. Zainab Khan, Mr. Suyash Pandey, Ms. Aditi Singh and Mr. Aditya Narayan, Advocates for R-5.

Mr. Shivendra Dwivedi and Ms. Onmichon Ramrar, Advocates for R-6 and R-10

Mr. Dhruv Gupta and Mr. Anubhav Garg, Advocates for R-7.

Mr. Adit S. Pujari, Mr. Shashwat Sarin, Mr. Shaurya Mittal and Ms. Dhanya Visweswaran, Advocates for R-9.

Mr. Abhishek Singh, Mr. Talib Mustafa, Mr. Vishvendra Tomar, Ms. Shreya Singh, Mr. Ketan Kumar Roy and Mr. Shubh Mathur, Advocates for R-11

Mr. Rajat Bhardwaj, Mr. Dushyant Chaudhary, Mr. Tushar Garg and Mr. Vineet Singh, Advocates for R-12 to 15.

Ms. Baani Khanna, Mr. Robin Singh, Mr. Kapil Balwani and Ms. Komal Thakkar, Advs. for R-16.

Mr. Dama Seshadri Naidu, Sr. Adv. with Mr. Ramesh Allanki, Ms. Aruna Gupta and Mr. Sahil Sood, Advocates for R-17

Mr. Prabhav Ralli, Ms. Stuti Gupta, Mr. Dev Vrat Arya, Ms. Deeya Mittal and Mr. Samraat Saxena, Advocates for R-20.

Mr. Gagan Minocha and Ms. Tusharika Mattoo, Advocates for R-

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DR. SWARANA KANTA SHARMA, J. (*Oral*)

THE PRESENT PROCEEDINGS: A PRELUDE

1. A litigant did not like an order passed by this Court since his prayer had been rejected. He, instead of taking the order to the higher Court, took it to social media platforms and put the judge, the judgment, and the judicial system on trial by a social media narrative orchestrated by him.

2. In this background, when the institution of the judiciary and this Court was put on trial, it became the duty of this Court, at that moment, to stand up for itself and the institution. However, this Court ensured while writing this order that the fear of being unjustifiably **defamed further and scandalized does not govern the pen of the Court, and that, the pen, continues to remain governed solely by the rule of law.**

3. Ordinarily, a Court while deciding a case or any application therein expects the controversy to remain within the discipline of law, the dignity of pleadings, and the boundaries of judicial adjudication. While this Court was hearing the applications seeking

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recusal, and thereafter while dictating and pronouncing the order thereon, this Court proceeded on the understanding that the issue before it was confined to the correctness of earlier judicial orders passed by it and the apprehensions of bias sought to be raised before this Court. The Court had thus heard the submissions addressed before it with the constitutional detachment expected of a Judge.

4. However, only after the pronouncement of the order did this Court come to learn, to its utter shock and concern, that letters, videos and a coordinated social media campaign concerning the proceedings before this Court were being widely circulated in the public domain. What initially appeared to be isolated acts of comments being made on public platforms gradually revealed themselves to be part of something far more disturbing.

5. It was only thereafter, upon the material being placed before this Court, that the earlier trail of social media posts, circulated content, public statements and videos also came to the notice of this Court. The Court found that even during the pendency and hearing of the recusal applications, certain respondents had already begun disseminating material and narratives concerning the proceedings before this Court, which continued and were further amplified even after rejection of these recusal applications *vide* a detailed judicial order. Thus, while the issue inside the courtroom was being dealt with through the constitutional process of adjudication, a parallel narrative outside the courtroom had simultaneously begun to be constructed through selective dissemination, digital amplification and

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repeated insinuations directed against the Court and the Judge presiding over the matter.

6. It became apparent that the judicial order passed by this Court had displeased a politically influential accused. While the course legally open to him was to challenge the order before the Hon'ble Supreme Court, instead of doing so, he carried the dispute to social media platforms where truth became secondary and amplification and intimidation through orchestrated narratives, devoid of truth, were clothed as the democratic right to free speech. Portions of the videos of this Court were distorted and selectively edited in a calculated manner, not for the purpose of informing the public, but for repeatedly spreading falsehoods and insinuations so as to undermine the authority of the Court. It was not merely the order passed by the Judge that became the target; it was the Judge herself.

7. The utterances by the proposed contemnors in the form of videos and letters publicly released on social media platforms did not merely express disagreement with the judicial order; rather, when seen in their entirety, they lead to only one conclusion – that it was a **calculated campaign** of vilification in the digital space, directed not only against this Court as an individual sitting Judge, but also against the entire institution of the judiciary and the adjudicatory process itself. Some of the proposed contemnors were **armed with** political influence and substantial public following, which gave them an undue advantage, enabling them to manipulate public opinion by releasing letters containing incomplete information and videos

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selectively edited to suit their campaign. Thus, instead of choosing the path of legal redressal of their grievances, they consciously chose the path of intimidation by circulating videos and posting content on social media platforms. While narratives were being manufactured to scandalize the Court, the proposed contemnors crossed the line by attempting to cast aspersions upon the independence and integrity of the Court itself. Even the family members of this Court were dragged into this manufactured narrative with a view to embarrass, defame, scandalise, lower the authority of this Court and ensure calculated humiliation through such false and motivated narratives.

8. This Court noted that the material which came to its notice in the present contempt proceedings revealed that, though inside the four walls of the courtroom, respondent no. 18 Arvind Kejriwal professed respect for the Court, the Judge, and the judicial system, outside the courtroom he orchestrated a calculated campaign of vilification and intimidation. Instead of challenging the order of this Court in accordance with law before the Hon'ble Supreme Court, he sought to destroy the reputation of the Judge and the institution by dragging a judicial order into the public domain even before availing the legal remedies available to him under law.

9. When videos are circulated with **theatrical aggression**, facts are distorted, and videos of the Judge are selectively edited to suit a particular narrative, it reflects **deliberate malice**. The authority of the Court was sought to be reduced to ridicule. More disturbingly, such assault through words and gestures did not remain confined to the

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judicial office of the Judge, but was deliberately extended to members of my family, who were wholly unconnected with the judicial proceedings, and were dragged into insinuations and public targeting.

10. Unmistakably, the message conveyed through the campaign was that it wanted to **sow seeds of distrust** in the minds of the general public against the judicial system and the judge. The message sought to be conveyed was that if a Judge and its orders did not conform to the expectations of a powerful individual or political force, the Judge and her reputation would be **publicly broken** and vilified. Such a message and campaign cannot be permitted to acquire legitimacy or sanctity. If, in the name of judicial tolerance and silence, such conduct is allowed to pass unchecked, and Judges are threatened into silence or compelled to render orders to the liking of politically powerful persons, justice itself may become a casualty.

11. **Another dangerous aspect** of the contemptuous acts in the present case was the attempt to project that an order adverse to a powerful individual may expose, not merely the Judge but even the Judge's family, to manufactured false campaigns, and that Judges should yield to such fear; failing which, the entire institution of the judiciary would suffer the consequences. **This Court did have the option of choosing silence and restraint over its duty to protect both itself and the institution. However, silence in such circumstances would amount to surrender before those who**

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commit contempt to the extent of destroying the faith of the people in the judiciary.

12. At the same time, while **I asked myself** whether the proposed contemnors had merely caused a private injury or whether they were, in fact, attacking a constitutional Court so as to deter it from discharging its constitutional duty, I found the answer to be the latter. It was not merely a personal or private attack, but a constitutional injury aimed at destabilizing the institution itself. Such acts tend to shake the confidence of common citizens who have historically held the belief that justice in this country is fearless, impartial, free from bias, and insulated from political pressure or **power games**. The Court **did not expect political retaliation, for a Court is not a political entity, nor does a Judge discharge constitutional duties with political considerations in mind.**

13. The proposed contemnors, fully conscious of the power of digital amplification of their false narrative, did not choose the path of legal challenge, but instead adopted the route of intimidation and vilification. But they have proceeded on a **mistaken assumption** that intimidation in the form of public speeches, circulated videos, collectively and individually undertaken by them as a political party or through social media campaigns, can be clothed in the garb of popular belief or public opinion.

14. A lie spoken a thousand times does not become the truth, just as intimidation clothed as legitimate criticism does not become immune from the law of contempt.

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15. **The popularity of a person also cannot bestow constitutional immunity. No individual, howsoever influential or powerful, is above the majesty of justice**.

16. Neither the Constitution nor the judges have ever considered the Courts of law and the constitutional courts to be so weak as to **bow before pressure**, manufactured public opinion, vilification campaigns, or the political might of any individual. If judges are compelled to weigh the pros and cons of rendering their decisions on account of a person's political influence or the social media campaign that may be orchestrated against them, the adjudicatory process will begin to decay from that very moment.

17. The soul of the institution of the judiciary, on which its very survival depends, is not the power of the chair but the trust reposed by the common people in the judicial system. The institution survives on public confidence in the system as well as in its judges. Any attempt to destroy that confidence through calculated and orchestrated scandalization constitutes one of the gravest forms of contempt of Court as envisaged under law.

18. This Court is also conscious that the power to punish for criminal contempt is an extraordinary power and ought not to be exercised without utmost restraint or in a manner reflecting hypersensitivity. But the law of contempt does not protect the dignity of an individual judge alone, but the justice delivery system itself.

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19. Every courtroom in this nation is respected not because of the power it wields or the position it occupies, but because it functions for ordinary citizens who firmly believe that Courts of law stand above influence, wealth, and political power, and are incapable of fearful adjudication. Judges command respect because they adjudicate fearlessly.

20. The true nature of the personal attack in the present case was not one of legal disagreement, but of **psychological coercion** intended to ensure that a constitutional duty was not carried out, with threats of destruction of personal reputation as the consequence. This Court cannot send a signal across the judicial system that if a Judge refuses to yield before a powerful litigant, such litigant may resort to systematically eroding public confidence in the Judge and the institution. **India is governed by the rule of law, and no individual, howsoever powerful, celebrated, or influential, possesses the authority to terrorize judicial institutions into submission**.

21. This Court must emphasize, with the calmness and restraint expected of a constitutional institution, that criticism of judgments or even of the law **does not amount to contempt**. However, there exists a clear constitutional distinction between fair criticism of a judicial decision and carrying out a campaign to scandalize the Court and destroy public faith in the institution.

22. If acts such as those committed by the proposed contemnors are normalized, the consequences for the justice delivery system would be grave. Judges would then be compelled to decide matters

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not solely in accordance with law, but also according to the anticipated intensity of retaliation from a powerful litigant. Such utterances and actions are impossible to ignore. This Court, therefore, reflected deeply before drawing the present proceedings.

23. A Judge cannot have the choice of being fearless; it is a duty cast upon it by the Constitution. A Judge cannot capitulate before power, popularity, or even provocation. Courts of law do not seek comfort or convenience when such contemptuous acts are hurled at them and the institution itself is attacked. At such moments, the constitutional duty of the Court is to ensure that the rule of law does not collapse by choosing **courage over convenience**. This Court has, therefore, decided that it shall not choose the path of convenience and comfort.

24. At this stage, I also wish to note that the present proceedings that I have been compelled to draw were not born in a day, nor have they arisen out of any personal anguish. I, like all other judges, have been trained to endure and accept fair criticism and dissent against my orders. Even hostility, to an extent, has been accepted by many of us on the Bench. **The robe that I wear, as I had earlier observed in the order of recusal, is not so fragile that a few fragments of criticism would leave its mark on it, however, it does not permit me to be fragile**. The robe worn by a judge demands, amongst many other things, calmness, patience, self-imposed silence, and above all, fortitude. Yet, there are moments in the life of a constitutional Court when remaining silent is not judicial restraint but may amount to

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surrender before a powerful litigant or an abdication of constitutional duty. That moment has arrived today before this Court.

LAW ON CRIMINAL CONTEMPT OF COURT

25. Before proceeding to examine the individual contemptuous statements, videos and social media posts which have come to the notice of this Court, it would be apposite to briefly refer to the law governing criminal contempt.

26. Section 2(c) of the Contempt of Courts Act, 1971 [hereafter '*Contempt of Courts Act*'] defines 'criminal contempt' to mean publication of any matter or the doing of any act whatsoever which:

> (i) scandalises or tends to scandalise, or lowers or tends to lower the authority of any Court; or
>
> (ii) prejudices, interferes or tends to interfere with the due course of any judicial proceeding; or
>
> (iii) interferes or tends to interfere with, or obstructs or tends to obstruct, the administration of justice in any other manner.

27. Section 15 of the Contempt of Courts Act, *inter alia*, empowers the High Court to initiate proceedings for criminal contempt on its own motion.

28. The contours, scope and object of contempt jurisdiction have been explained and settled by the Hon'ble Supreme Court through a catena of decisions. In ***Brahma Prakash Sharma & Ors. v. State of Uttar Pradesh:*** *(1953) 1 SCC 813*, the Hon'ble Supreme Court observed that the purpose of contempt jurisdiction is not to protect

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Judges personally from criticism or defamatory allegations as individuals, but to preserve the authority of courts and maintain public confidence in the administration of justice. It was further observed that allegations attacking the integrity, ability or impartiality of judges may amount to contempt where such allegations are likely to create distrust in the minds of the public and weaken faith in the judicial system. At the same time, it was clarified that a distinction must always be maintained between mere defamatory statements against a Judge and statements which interfere, or are likely to interfere, with administration of justice. However, the transition from mere libel of a judge in the individual capacity to contempt of court was explained in following words:

> "**14**. …The position therefore is that a defamatory attack on a Judge may be a libel so far as the Judge is concerned and it would be open to him to proceed against the libeller in a proper action if he so chooses. **If, however, the publication of the disparaging statement is calculated to interfere with the due course of justice or proper administration of law by such court, it can be punished summarily as contempt.** One is a wrong done to the Judge personally while the other is a wrong done to the public. **It will be an injury to the public if it tends to create an apprehension in the minds of the people regarding the integrity, ability or fairness of the Judge or to deter actual and prospective litigants from placing complete reliance upon the court's administration of justice, or if it is likely to cause embarrassment in the mind of the Judge himself in the discharge of his judicial duties.** It is well established that it is not necessary to prove affirmatively that there has been an actual interference with the administration of justice by reason of such defamatory statement; it is enough if it is likely, or tends in any way, to interfere with the proper administration of law."
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> (Emphasis added)

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29. Similarly, in ***Haridas Das v. Usha Rani Banik (Smt) & Ors.:*** *(2007) 14 SCC 1*, the Hon'ble Supreme Court reiterated that judges and courts are open to fair and reasonable criticism. However, where criticism crosses the limits of fairness and tends to lower the dignity and authority of the Court or interfere with administration of justice, the same has to be dealt with firmly. It was also emphasised that though freedom of speech and expression is constitutionally protected, it remains subject to reasonable restrictions, including the law relating to contempt of court. Some observations in the said decision are set out below:

> "**13**. The vehemence of the language used is not alone the measure of the power to punish for contempt of court. The fires which it kindles must constitute an imminent, not merely a likely, threat to the administration of justice. The stream of administration of justice has to remain unpolluted so that purity of court's atmosphere may give vitality to all the organs of the State. Polluters of judicial firmament are, therefore required to be well taken care of to maintain the sublimity of court's environment; so also to enable it to administer justice fairly and to the satisfaction of all concerned…
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> ***
>
> **17**. The view was echoed by this Court in D.C. Saxena (Dr.) v. Chief Justice of India. In the same volume of Halsbury's Laws of England at Para 27 it is stated thus:
>
> > "27. Scandalising the court.—Any act done or writing published which is calculated to bring a court or a judge into contempt or to lower his authority, or to interfere with the due course of justice or the lawful process of the court, is a contempt of court."
>
> ***
>
> **23**. Krishna Iyer, J. in his separate judgment in *S. Mulgaokar, In re* [(1978) 3 SCC 339: 1978 SCC (Cri) 402] while giving broad guidelines in taking punitive action in the matter of contempt of court has stated:

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> "…if the Court considers the attack on the Judge or Judges scurrilous, offensive, intimidatory or malicious beyond condonable limits, the strong arm of the law must, in the name of public interest and public justice, strike a blow on him who challenges the supremacy of the rule of law by fouling its source and stream."

30. The Hon'ble Supreme Court in ***Prashant Bhushan (Contempt Matter), In re:*** *(2021) 1 SCC 745*, while dealing with *suo motu* contempt proceedings arising out of tweets made by the contemnor concerning the Chief Justice of India and the role of the Supreme Court in the functioning of democracy, held the contemnor guilty of criminal contempt. The tweets, *inter alia*, alleged that the Chief Justice of India was riding a motorcycle belonging to a BJP leader while the Supreme Court remained in "lockdown mode" denying citizens access to justice, and further alleged that the Supreme Court and the last four Chief Justices had played a role in the destruction of democracy in India. The Hon'ble Supreme Court, while convicting the contemnor, *inter alia*, observed as under:

> "**76**. As held by this Court in earlier judgments, to which we have referred herein above, the Indian judiciary is not only one of pillars on which the Indian democracy stands but is the central pillar. The Indian Constitutional democracy stands on the bedrock of rule of law. The trust, faith and confidence of the citizens of the country in the judicial system is sine qua non for existence of rule of law. An attempt to shake the very foundation of constitutional democracy has to be dealt with an iron hand. The tweet has the effect of destabilising the very foundation of this important pillar of the Indian democracy. The tweet clearly tends to give an impression, that the Supreme Court, which is a highest constitutional court in the country, has in the last six years played a vital role in destruction of the Indian democracy. There is no manner of doubt, that the tweet tends to shake the public confidence in the institution of judiciary. We do not want to go into the truthfulness or

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> otherwise of the first part of the tweet, inasmuch as we do not want to convert this proceeding into a platform for political debate. We are only concerned with the damage that is sought to be done to the institution of administration of justice. In our considered view, the said tweet undermines the dignity and authority of the institution of the Supreme Court of India and the CJI and directly affronts the majesty of law.
>
> **77**. Indian judiciary is considered by the citizens in the country with the highest esteem. The judiciary is considered as a last hope when a citizen fails to get justice anywhere. The Supreme Court is the epitome of the Indian judiciary. An attack on the Supreme Court does not only have the effect of tending an ordinary litigant of losing the confidence in the Supreme Court but also may tend to lose the confidence in the mind of other judges in the country in its highest court. A possibility of the other judges getting an impression that they may not stand protected from malicious attacks, when the Supreme Court has failed to protect itself from malicious insinuations, cannot be ruled out. As such, in order to protect the larger public interest, such attempts of attack on the highest judiciary of the country should be dealt with firmly. No doubt, that the Court is required to be magnanimous, when criticism is made of the judges or of the institution of administration of justice. However, such magnanimity cannot be stretched to such an extent, which may amount to weakness in dealing with a malicious, scurrilous, calculated attack on the very foundation of the institution of the judiciary and thereby damaging the very foundation of the democracy."

31. Recently, a Division Bench of this Court, in ***Court On Its Own Motion v. Shiv Narayan Sharma***: *2026:DHC:3275-DB*, had occasion to examine YouTube videos containing scandalous allegations against judicial officers. The videos in question had publicly conveyed that litigants should not expect justice from certain judicial officers and thus had openly attacked the integrity and functioning of their courts. Rejecting the plea that such statements were made *bona fide* or innocently, the Division Bench held that the

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conduct clearly amounted to scandalising the judiciary and lowering the authority of courts in the eyes of the public and accordingly held the contemnors guilty of criminal contempt under Section 2(c) of the Contempt of Courts Act.

32. In the backdrop of the aforesaid statutory provisions and settled principles governing criminal contempt, this Court shall now proceed to examine how some of the respondents and other proposed contemnors, named in the subsequent paragraphs of this order, appear to have collectively carried out a sustained public and social media campaign targeting this Court through repeated statements, press conferences and edited videos, so as to scandalise and lower the authority of this Court.

CONTEMPTUOUS MATERIAL PUBLISHED ON SOCIAL MEDIA & THE PROPOSED CONTEMNORS

33. To recapitulate, it must be noted that the present criminal revision petition was first listed before this Court on 09.03.2026, when notice was issued in the case and some *prima facie* observations were also recorded in the order. Two days thereafter, some of the respondents had addressed letters to Hon'ble the Chief Justice of this Court, setting out their grievance with the order dated 09.03.2026 passed by this Court and requesting the Hon'ble Chief Justice to transfer the matter to some other Bench. This request was however declined by the Hon'ble Chief Justice, after noting that there were no grounds to transfer the matter on the administrative side. Thereafter, some of the respondents, including respondent no. 18,

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chose to file SLP challenging the order dated 09.03.2026 of this Court as well as writ petition challenging the communication issued by the Hon'ble Chief Justice. These remedies however were not pursued by them. Rather, applications seeking recusal of this Court from hearing this case were filed by some of the respondents before this Court.

34. This Court had then adjudicated the applications seeking recusal after hearing all the grounds raised by the recusal applicants, including respondent no. 18, who had appeared in person and argued his matter at length. The applications came to be rejected *vide* a judgment on 20.04.2026. The applications were thus not rejected summarily, nor without granting full opportunity to the concerned parties to address submissions. The said applications were decided by a detailed judgment, which dealt not only with each of the grounds raised seeking recusal of this Court, but also discussed the principles governing recusal, as recognised in law.

35. It is also pertinent to note that as respondent no. 18 had argued the recusal application in person, the video of him addressing arguments before this Court had then been circulated widely in public, on social media platforms. This Court also notes that directions had subsequently been passed by the Division Bench of this Court for taking down such content containing unauthorised recording of the judicial proceedings. However, even thereafter, the contemptuous campaign against this Court did not stop.

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36. This Court expected, as every Court of law in this country would, that once the recusal applications stood decided, the issue would attain *quietus*, subject to the remedies available in law to a litigant. The recusal applicants had the option either to challenge the said order before the Hon'ble Supreme Court or to accept the same, as every litigant is expected to do in accordance with the rule of law. However, the course adopted by the respondent no. 18, and some other respondents, thereafter was entirely different.

37. It came to the notice of this Court that not only some of the recusal applicants, especially respondent no. 18, but several members, spokespersons, and office bearers of their political party also began publicly repeating the very same allegations and grounds which had already been dealt with and rejected by this Court in the judgment dated 20.04.2026.

38. The tone, tenor and manner of the statements made thereafter were not those of fair criticism of a judicial order. The social media campaigns were run to openly question the integrity, impartiality and independence of this Court. Allegations were repeatedly made regarding political affiliation, ideological alignment and improper motives. Statements were circulated portraying this Court as incapable of deciding matters fairly and independently. It also came to the notice of this Court that one of the alleged contemnors had, in the very beginning of this case before this Court itself, had gone to the extent of publicly suggesting a relationship and understanding between this Court and a political party, thereby attempting to create

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suspicion in the minds of the public regarding the functioning of this Court.

39. In this Court's view, legal battles are to be fought in courts of law. As noted above, some of the respondents in fact availed their rights, as per law, to file applications seeking this Court's recusal and advance arguments thereon. However, after suffering an adverse order and failing to obtain the relief sought by them, the dispute was sought to be carried by some of them beyond the courtroom, into the public domain through social media campaigns, public speeches, press conferences, and circulation of videos.

Contemptuous content published by R-18 Arvind Kejriwal

40. It has specifically come to the notice of this Court that respondent no. 18 Arvind Kejriwal had published a letter, addressed to this Court, on social media platform 'X', from his account bearing handle "**@ArvindKejriwal**", with display name as 'Arvind Kejriwal'. The said post was published at 10:00 AM on 27.04.2026 and reads as under:

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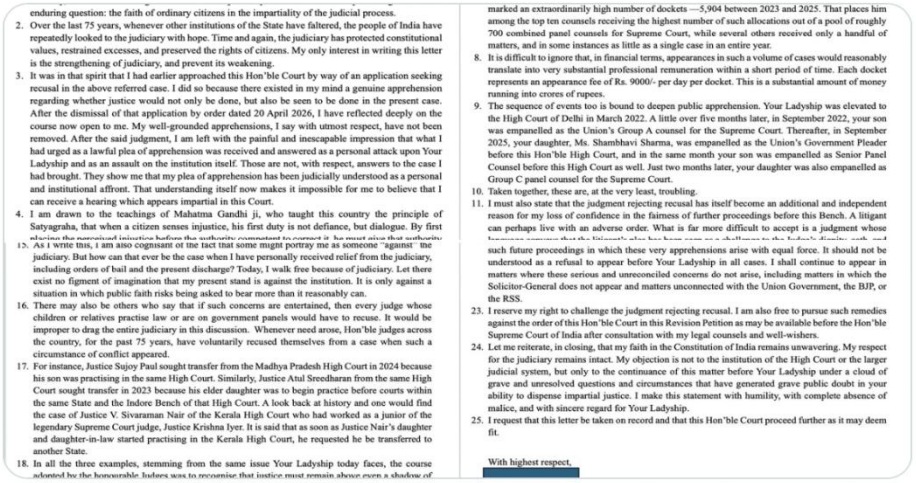
Arvind Kejriwal ✓
@ArvindKejriwal

In all humility and with complete respect for judiciary, I have written the following letter to Justice Swarna Kanta Sharma, informing her that pursuing Gandhian principles of Satyagraha, it won't be possible for me to pursue this case in her court, either in person or through a counsel.

I have taken this difficult decision after coming to the clear conclusion that the proceedings being conducted in her court do not, in any manner, satisfy the fundamental principle that 'justice must not only be done but must also be seen to be done'. My participation in these proceedings, either myself or through a counsel will not achieve anything meaningful.



enduring question: the faith of ordinary citizens in the impartiality of the judicial process.

2. Over the last 75 years, whenever other institutions of the State have faltered, the people of India have repeatedly looked to the judiciary with hope. Time and again, the judiciary has protected constitutional values, restrained excesses, and preserved the rights of citizens. My only interest in writing this letter is the strengthening of judiciary, and prevent its weakening.
3. It was in that spirit that I had earlier approached this Hon'ble Court by way of an application seeking recusal in the above referred case. I did so because there existed in my mind a genuine apprehension regarding whether justice would not only be done, but also be seen to be done in the present case. After the dismissal of that application by order dated 20 April 2026, I have reflected deeply on the course now open to me. My well-grounded apprehensions, I say with utmost respect, have not been removed. After the said judgment, I am left with the painful and inescapable impression that what I had urged as a lawful plea of apprehension was received and answered as a personal attack upon Your Ladyship and as an assault on the institution itself. Those are not, with respect, answers to the case I had brought. They show me that my plea of apprehension has been judicially understood as a personal and institutional affront. That understanding itself now makes it impossible for me to believe that I can receive a hearing which appears impartial in this Court.
4. I am drawn to the teachings of Mahatma Gandhi ji, who taught this country the principle of Satyagraha, that when a citizen senses injustice, his first duty is not defiance, but dialogue. By first

12. As I write this, I am also cognisant of the fact that some might portray me as someone "against" the judiciary. But how can that ever be the case when I have personally received relief from the judiciary, including orders of bail and the present discharge? Today, I walk free because of judiciary. Let there exist no figment of imagination that my present stand is against the institution. It is only against a situation in which public faith risks being asked to bear more than it reasonably can.
16. There may also be others who say that if such concerns are entertained, then every judge whose children or relatives practise law or are on government panels would have to recuse. It would be improper to drag the entire judiciary in this discussion. Whenever need arose, Hon'ble judges across the country, for the past 75 years, have voluntarily recused themselves from a case when such a circumstance of conflict appeared.
17. For instance, Justice Sujoy Paul sought transfer from the Madhya Pradesh High Court in 2024 because his son was practising in the same High Court. Similarly, Justice Atul Sreedharan from the same High Court sought transfer in 2023 because his elder daughter was to begin practice before courts within the same State and the Indore Bench of that High Court. A look back at history and one would find the case of Justice V. Sivaraman Nair of the Kerala High Court who had worked as a junior of the legendary Supreme Court judge, Justice Krishna Iyer. It is said that as soon as Justice Nair's daughter and daughter-in-law started practising in the Kerala High Court, he requested he be transferred to another State.
18. In all the three examples, stemming from the same issue Your Ladyship today faces, the course

marked an extraordinarily high number of dockets —5,904 between 2023 and 2025. That places him among the top ten counsels receiving the highest number of such allocations out of a pool of roughly 700 combined panel counsels for Supreme Court, while several others received only a handful of matters, and in some instances as little as a single case in an entire year.
8. It is difficult to ignore that, in financial terms, appearances in such a volume of cases would reasonably translate into very substantial professional remuneration within a short period of time. Each docket represents an appearance fee of Rs. 9000/- per day per docket. This is a substantial amount of money running into crores of rupees.
9. The sequence of events too is bound to deepen public apprehension. Your Ladyship was elevated to the High Court of Delhi in March 2022. A little over five months later, in September 2022, your son was empanelled as the Union's Group A counsel for the Supreme Court. Thereafter, in September 2025, your daughter, Ms. Shambhavi Sharma, was empanelled as the Union's Government Pleader before this Hon'ble High Court, and in the same month your son was empanelled as Senior Panel Counsel before this High Court as well. Just two months later, your daughter was also empanelled as Group C panel counsel for the Supreme Court.
10. Taken together, these are, at the very least, troubling.
11. I must also state that the judgment rejecting recusal has itself become an additional and independent reason for my loss of confidence in the fairness of further proceedings before this Bench. A litigant can perhaps live with an adverse order. What is far more difficult to accept is a judgment whose

such future proceedings in which these very apprehensions arise with equal force. It should not be understood as a refusal to appear before Your Ladyship in all cases. I shall continue to appear in matters where these serious and unreconciled concerns do not arise, including matters in which the Solicitor-General does not appear and matters unconnected with the Union Government, the BJP, or the RSS.
23. I reserve my right to challenge the judgment rejecting recusal. I am also free to pursue such remedies against the order of this Hon'ble Court in this Revision Petition as may be available before the Hon'ble Supreme Court of India after consultation with my legal counsels and well-wishers.
24. Let me reiterate, in closing, that my faith in the Constitution of India remains unwavering. My respect for the judiciary remains intact. My objection is not to the institution of the High Court or the larger judicial system, but only to the continuance of this matter before Your Ladyship under a cloud of grave and unresolved questions and circumstances that have generated grave public doubt in your ability to dispense impartial justice. I make this statement with humility, with complete absence of malice, and with sincere regard for Your Ladyship.
25. I request that this letter be taken on record and that this Hon'ble Court proceed further as it may deem fit.

With highest respect,

10:00 AM · Apr 27, 2026 · **1.8M** Views

URL:
https://x.com/ArvindKejriwal/status/2048620655109911007?s=20

41. Similarly, another post was published at 10:01 AM on 27.04.2026, containing a video recorded by respondent no. 18 himself, informing the public at large of his decision not to appear before this Court and reiterating several allegations against this Court. The post in this regard is as under:

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URL:
https://x.com/ArvindKejriwal/status/2048620906130424292?s=20

42. In the aforesaid letter, respondent no. 18 has, *inter alia*, stated that '**how can an ordinary citizen believe that this Court can rule against the Solicitor General, the Bharatiya Janata Party or the Union Government in matters of the present nature**'. He further states that the outcome in the present case appears "strongly tilted in one direction irrespective of merits"; that participation in proceedings before this Court would be "futile"; and that the outcome appears "foretold". Respondent no. 18 thereafter declared that he would

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neither personally appear before this Court nor participate through counsel in further proceedings in the present matter.

43. On the face of it, these statements, in the opinion of this Court, are not *bona fide* expressions of any apprehension of bias or dissatisfaction with either the first order passed in the present case or the judgment rejecting the prayer for recusal. By publicly stating that this Court cannot fairly decide matters in which the Union Government or BJP is a party or where the learned Solicitor General appears, respondent no. 18 has directly attributed political influence and lack of judicial independence to this Court and attempted to lower the authority of this Court.

44. It is also significant that, while expressing his personal apprehension, respondent no. 18 goes on to state that an ordinary citizen of this country cannot believe that this Court can render justice in such matters. **This Court wonders** as to how the respondent no. 18 has assumed the authority to speak on behalf of the citizens of this country, including countless litigants who appear before constitutional courts every day, including before this Court, with faith in the judicial process. Such a statement made by respondent no. 18 is not confined to questioning any judicial order passed by this Court, but is an attempt, clearly, to falsely create a public perception that this Court is incapable of deciding matters fairly and independently.

45. The statements of this nature amount to scandalising the Court and lowering its authority in the eyes of the public. If such

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allegations are permitted to be openly circulated merely because a Judge may have delivered a lecture at some event, or because some family member or relative of a Judge may at some point be associated with any panel of a government, the same can be used tomorrow against any Judge hearing any matter involving any political party or government. Such a course would seriously prejudice the independence of the judiciary and public confidence in the administration of justice.

46. Further, the assertion that the result of proceedings before this Court is "foretold" irrespective of merits seems intended to convey to the public at large that this Court does not decide matters according to law and evidence, but according to other considerations. Statements of this nature, made repeatedly on social media platforms, are bound to shake the confidence of litigants and members of the public in the fairness of judicial proceedings before this Court.

47. **Equally serious** is the public declaration by respondent no. 18 that he would not participate in proceedings before this Court in relation to the present case, either personally or through counsel, while invoking the concept of "*Satyagraha*". Courts function on the foundational principle that parties who invoke the jurisdiction of courts, or are subject to judicial proceedings, shall participate in the process established by law and abide by judicial orders. In the considered opinion of this Court, a litigant cannot, after suffering an adverse judicial order, publicly declare that participation in proceedings before the Court is 'futile' and serves no purpose.

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48. This Court is also of the opinion that this is not a case where an accused has remained unrepresented due to non-service, inability to appear, or any other circumstance beyond control, requiring proceedings to continue *ex parte* or with assistance of an *amicus curiae*. This is a unique case where respondent no. 18 had earlier appeared before this Court, advanced detailed submissions, argued the recusal applications and a detailed judicial order thereon was passed by this Court on 20.04.2026. The said order was open to challenge before the Hon'ble Supreme Court, in accordance with law.

49. However, instead of availing legal remedies known to law, respondent no. 18 publicly declared that he would neither appear before this Court in this case personally nor through counsel, and projected such a course of action as a principled and justified response.

50. Though an accused or any party may choose not to appear before a Court for whatever reason, and the matters are often proceeded *ex-parte* or by appointing *amicus* as noted above, the public declaration of such non-participation, coupled with statements that no citizen can expect justice from this Court, travels far beyond a personal choice of abstaining from proceedings before the court. The clear effect of such statements is to publicly portray proceedings before this Court as unfair, at the same time, without challenging the orders passed by this Court before the Hon'ble Supreme Court,

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which is the only course known in law and available to every litigant as per the Constitution.

51. In the present case, respondent no. 18 has specifically stated that he would not appear before this Court in matters where, according to him, the Union Government, BJP, RSS or the learned Solicitor General are connected with the proceedings, thereby openly suggesting that this Court cannot independently or fairly adjudicate such matters, whereas he states that he would appear before this Court in other matters where the aforesaid 'concerns' do not exist.

52. The above conduct of the respondent no. 18 Arvind Kejriwal, viewed in the context of the contents of the letter and its wide public circulation, also tends to convey to litigants and members of the public that if a litigant perceives a Court to be unfavourable, such litigant may publicly accuse the Court of bias, declare that justice cannot be expected from the Court, and thereafter refuse to participate in judicial proceedings by publishing letters and videos on social media platforms, again re-iterating the very same allegations of bias which stand adjudicated by the Court by way of a judicial order. **In this Court's opinion, this will lead to anarchy** where accused persons of petty as well as serious offences may take the same path, thereby shaking the edifice of judicial system itself. If people stop coming to Courts on such grounds and take the path adopted by accused Arvind Kejriwal, the judicial system, which is one of the pillars of democracy, will itself be shaken. Even if the accused, being a political figure, by such statements sows the seeds of adopting such

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conduct in the minds of litigants and accused persons facing heinous or other offences, needless to say, it will throw the entire judicial system into chaos and directly obstruct the administration of justice. Since respondent no. 18 is a political figure having considerable public reach and influence, such conduct is not merely an attempt to stall administration of justice before one Court, but has the potential of putting the entire judicial system of the country in danger.

53. This Court is also constrained to note that similar letters and public positions were thereafter adopted by respondent no. 8-Manish Sisodia and respondent no. 19-Durgesh Pathak, who publicly expressed agreement with the actions of respondent no. 18 and similarly declared that they would not appear before this Court in the present proceedings. This clearly demonstrates the direct impact and influence of the statements made by respondent no. 18 and how such statements are capable of encouraging non-participation in the judicial proceedings by other litigants, by publicly portraying the Court as lacking fairness and independence and further maligning the image of this Court.

54. If such actions are permitted to pass unchecked, any litigant dissatisfied with judicial proceedings may then seek to avoid participation in Court by publicly imputing motives to the Judge and declaring before the public that proceedings before the Court are meaningless or predetermined. It must be emphasised that a Constitutional Court and the judicial proceedings cannot be permitted to become subject to misleading social media campaigns where a

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litigant first seeks recusal of the Court, and then do not challenge the order rejecting such request of recusal as well as any other order passed by the court in the case, by way of means available to any party in law, and thereafter publicly call upon people to treat proceedings before the Court as lacking judicial independence and being unfair and with pre-decided outcomes.

55. The aforesaid statements and conduct therefore tends to scandalise and lower the authority of this Court, as well as amounts to a serious and deliberate attempt to obstruct administration of justice by publicly portraying proceedings before this Court, and any other judge who has visited programmes organized by Adhivakta Parishad and whose family members are on Government panel as biased, politically influenced and unworthy of participation.

56. Therefore, **the aforesaid statements and conduct of the respondent no. 18 Arvind Kejriwal appears to fall within the ambit of criminal contempt as defined under Section 2(c) of the Contempt of Courts Act**.

Contemptuous content published by R-8 Manish Sisodia & R-19 Durgesh Pathak

57. As noted above, the respondent no. 8 Manish Sisodia and respondent no. 19 Durgesh Pathak also published letters on social media platforms, including 'X', containing similar statements and especially that they had no hope of getting justice from this Court, and that they will not appear before this Court either personally or through counsel. They also stated that they completely agree and

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endorse the views expressed by respondent no. 18 Arvind Kejriwal in his letter dated 27.04.2026. The details of the post published on social media platform 'X' from the account bearing the handle "**@msisodia**", with display name as 'Manish Sisodia', is under:

Manish Sisodia
@msisodia

Show translation

पूरे सम्मान और आदर के साथ, मैंने दिल्ली हाई कोर्ट की माननीय जस्टिस स्वर्णकांता शर्मा जी को पत्र लिखकर निवेदन किया है कि, वर्तमान परिस्थितियों में, मेरी अंतरात्मा मुझे इस मामले की कार्यवाही में उनके समक्ष, आगे भाग लेने की अनुमति नहीं देती।

मेरे लिए यह किसी व्यक्ति विशेष का प्रश्न नहीं है, बल्कि उस भरोसे का प्रश्न है जिस पर न्याय व्यवस्था खड़ी होती है- कि हर नागरिक को न्याय न केवल निष्पक्ष हो, बल्कि निष्पक्ष दिखाई भी दे।

मैं यह भी स्पष्ट करना चाहता हूँ कि न्यायपालिका और संविधान पर मेरा विश्वास पूरी तरह अटूट है। लेकिन जब मन में गंभीर संदेह रह जाए, तो केवल औपचारिक भागीदारी मेरे लिए सही नहीं है।

इसलिए मेरे पास सत्याग्रह के अलावा कोई रास्ता नहीं बचा...

to state at the outset that this letter is not intended as an act of disrespect, nor as any personal attack upon Your Ladyship. I write with restraint, and with full awareness of the seriousness of such a communication.

2. Yesterday, on 27 April 2026, Mr. Arvind Kejriwal addressed a letter to Your Ladyship setting out the reasons why, in his conscience, he was unable to participate in further proceedings in the present matter. I have carefully considered the substance of that letter. Having done so, I find myself in respectful agreement with the stand taken by him, which is based on Mahatma Gandhi's teachings on Satyagraha. I do not propose to repeat each and every aspect of what has already been stated in detail by him. But I must record that the troubling concerns flagged there are concerns that weigh upon my mind as well.

3. I wish to state that two aspects of this case trouble me a lot. The first is the issue arising from Your Ladyship's repeated public attendance of the Akhil Bharatiya Adhivakta Parishad, a lawyers' organisation publicly understood to belong to the RSS.

10. That is the difficulty I face today. My concern too, much like Mr. Kejriwal's, is not born out of hostility to the Court. It is born of a deep unease that, if I continue to participate despite these circumstances, I would be acting against my own conscience too while pretending before my fellow countrymen that all doubts stand resolved. The question before me is therefore a simple one: can I, with honesty, continue to take part in these proceedings while carrying a serious apprehension about the appearance of impartial justice?

11. After much reflection, my answer is similar to Mr. Kejriwal's. I cannot.

12. I am aware that some may misread such a step as an attack on the judiciary. I would again reiterate: this is incorrect. Constitutional maturity would have it that one may disagree with a particular course being followed in a particular case without losing faith in the institution as a whole. My respect for the judiciary remains undiminished. It is precisely because courts occupy so vital a place in our constitutional life that circumstances capable of shaking public confidence must be treated with the utmost

6. One's conscience is bound to be more troubled when they actually realise that several Hon'ble Judges, over the past 75 years of our rich judicial history, have voluntarily recused themselves in similar situations, and that some, as pointed out in Mr. Kejriwal's letter, have even sought transfer out of their State when their children began practising within the same jurisdiction. Such are the high standards of judicial ethics observed by several Hon'ble judges of our country. In the context of this case, such instances lead to a more troubling question: what were the minimum duties of candour and self-regulation that arose in the present case? Was there not, at the very least, a duty on the part of the parent-Judge to disclose these circumstances to the parties at the very threshold? Was there not a corresponding duty upon the Ld. Solicitor General, Mr. Tushar Mehta, to place these facts before the Court and the litigants with complete fairness? Was there not a duty to pause and ask whether a matter of such extraordinary political sensitivity demanded a higher degree of caution, disclosure, and institutional self-scrutiny?

16. For the avoidance of doubt, I clarify that this decision is confined to the present matter and to the very specific circumstances that have arisen here. It should not be understood as any general refusal to appear before Your Ladyship in all matters, nor as any general distrust of the judicial institution. My faith in the Constitution and the institution of the Court remains firm. What troubles me is only the continuance of this matter before this Bench despite circumstances that, in my respectful view, are continuing to generate graver and graver public doubt over Your Ladyship's impartiality. Therefore, as a responsible public representative, I must, respectfully, dissent.

17. I request that this letter be taken on record and that this Hon'ble Court proceed further as Your Ladyship may deem fit.

With highest respect,

10:09 AM · Apr 28, 2026 · **95.5K** Views

URL:
https://x.com/msisodia/status/2048985521498853481?s=20

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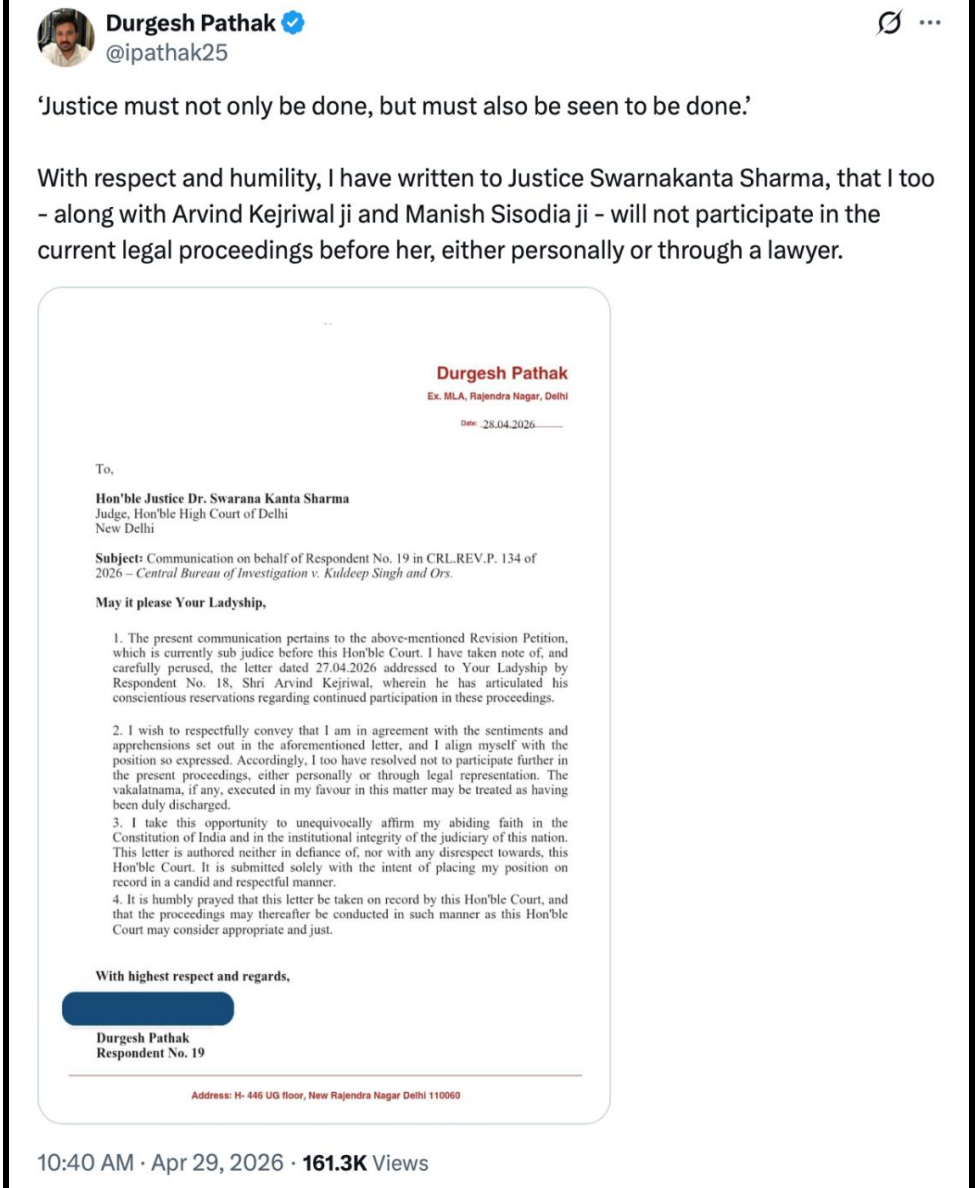
58. The details of the post published in this regard, on social media platform 'X' by Durgesh Pathak, from the account bearing the handle "**@ipathak25**", with display name as 'Durgesh Pathak', is under:



Durgesh Pathak
@ipathak25

'Justice must not only be done, but must also be seen to be done.'

With respect and humility, I have written to Justice Swarnakanta Sharma, that I too - along with Arvind Kejriwal ji and Manish Sisodia ji - will not participate in the current legal proceedings before her, either personally or through a lawyer.

Durgesh Pathak
Ex. MLA, Rajendra Nagar, Delhi

Date: 28.04.2026

To,

Hon'ble Justice Dr. Swarana Kanta Sharma
Judge, Hon'ble High Court of Delhi
New Delhi

Subject: Communication on behalf of Respondent No. 19 in CRL.REV.P. 134 of 2026 – *Central Bureau of Investigation v. Kuldeep Singh and Ors.*

May it please Your Ladyship,

1. The present communication pertains to the above-mentioned Revision Petition, which is currently sub judice before this Hon'ble Court. I have taken note of, and carefully perused, the letter dated 27.04.2026 addressed to Your Ladyship by Respondent No. 18, Shri Arvind Kejriwal, wherein he has articulated his conscientious reservations regarding continued participation in these proceedings.

2. I wish to respectfully convey that I am in agreement with the sentiments and apprehensions set out in the aforementioned letter, and I align myself with the position so expressed. Accordingly, I too have resolved not to participate further in the present proceedings, either personally or through legal representation. The vakalatnama, if any, executed in my favour in this matter may be treated as having been duly discharged.

3. I take this opportunity to unequivocally affirm my abiding faith in the Constitution of India and in the institutional integrity of the judiciary of this nation. This letter is authored neither in defiance of, nor with any disrespect towards, this Hon'ble Court. It is submitted solely with the intent of placing my position on record in a candid and respectful manner.

4. It is humbly prayed that this letter be taken on record by this Hon'ble Court, and that the proceedings may thereafter be conducted in such manner as this Hon'ble Court may consider appropriate and just.

With highest respect and regards,

[redacted]

Durgesh Pathak
Respondent No. 19

Address: H- 446 UG floor, New Rajendra Nagar Delhi 110060

10:40 AM · Apr 29, 2026 · **161.3K** Views

URL:
https://x.com/ipathak25/status/2049355715719131198?s=20

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59. The aforesaid statements and conduct of respondent nos. 8 and 19 clearly tends to scandalise and lower the authority of this Court, as well as amounts to a serious and deliberate attempt to obstruct administration of justice by publicly portraying proceedings before this Court as biased, politically influenced and unworthy of participation.

60. Therefore, **the aforesaid statements and conduct of the respondent no. 8 Manish Sisodia and respondent no. 19 Durgesh Pathak appears to fall within the ambit of criminal contempt as defined under Section 2(c) of the Contempt of Courts Act**.

Contemptuous content published by '@SanjayAzadSln' on 'X'

61. This Court further takes note of the fact that the aforenoted letter and the video in that regard published online on social media platforms by respondent no. 18 Arvind Kejriwal, refusing to appear before this Court, was shared by several members of his political party, as well as other social media users.

62. However, one such apparently contemptuous post which has come to the notice of this Court has been published from the account bearing the handle "**@SanjayAzadSln**" on the social media platform 'X', with display name as 'Sanjay Singh AAP'. The said post is as under:

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URL:
https://x.com/SanjayAzadSln/status/2048631493162152302?s=20

63. In this post, published on 27.04.2026 at 10:43 AM, while re-sharing the video published by respondent no. 18 on 'X', it has been stated, in substance, that when a Judge attends RSS programmes and says that promotions are received by her whenever such programmes are attended, no justice can be expected from such a Judge. It has

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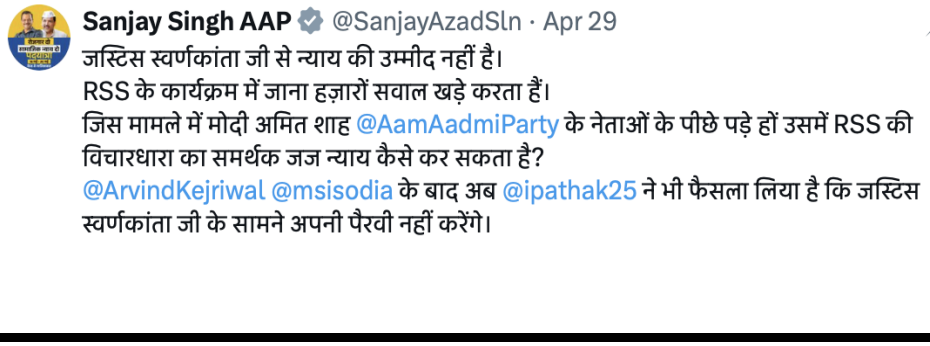
further been stated that there is no point in advancing arguments before this Court and that this Court would do whatever its ideology desires.

64. Further, in another post, published on 29.04.2026 at 12:00 PM from the account bearing the handle "**@SanjayAzadSln**" on platform 'X', it has been stated that no justice can be expected from this Court; and that a Judge who supports the ideology of RSS cannot render justice in matters concerning leaders of a particular political party. The said post is as under:



URL: https://x.com/SanjayAzadSln/status/2049375752572092678?s=20

65. In the considered opinion of this Court, the statements noted above is a clear attempt to publicly portray this Court as being ideologically aligned with a particular organisation and incapable of acting fairly and independently in matters involving political parties. This Court is also of the view that statements, that 'no justice can be expected from this Court' and that arguments need not even be addressed before this Court, seek to create an impression amongst litigants and members of the public that proceedings before this

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Court are predetermined and would not be decided in accordance with law.

66. The repeated description of this Court – as a supporter of a particular ideology and the assertion that this Court would act according to such ideology – is also a clear and direct attack on the impartiality and independence of this Court. In this Court's considered opinion, such statements, when circulated publicly, have the effect of lowering the authority of this Court. These statements also appear to be intended to influence public perception regarding proceedings pending before this Court in this case, and to create distrust in the minds of litigants appearing before this Court, both in present and future matters. Such statements therefore tend to scandalise this Court and interfere with administration of justice.

67. This Court is further of the opinion that the repeated public dissemination of statements alleging that this Court would act according to a particular ideology and not according to law is not a mere expression of political disagreement, but an attempt to delegitimize the judicial process itself in the eyes of the public. If such statements are to be considered a part of fair criticism, then every litigant dissatisfied with judicial proceedings, and those who are not even party to the proceedings pending before the Court, would publicly attribute ideological motives to Judges who visit or have visited such programmes, and call upon the public to distrust such Courts and judges.

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68. Therefore, clearly, **the aforesaid statements published by Sanjay Singh appear to fall within the ambit of criminal contempt as defined under Section 2(c) of the Contempt of Courts Act**.

Contemptuous content published by '@devesh_aap' on 'X'

69. It has also been brought to the notice of this Court that a social media campaign was carried out by certain members/supporters of the political party of respondent no. 18 Arvind Kejriwal, wherein a video of this Court, delivering a lecture at a University in Varanasi, Uttar Pradesh, was edited and falsely projected as a speech delivered at an event associated with a political party, coupled with **false and misleading claim** that this Court had stated that it receives promotions whenever it is invited to such events.

70. One such social media post which has come to the notice of this Court has been published from the account bearing the handle "**@devesh_aap**" on the platform 'X', with display name as 'Devesh Vishwakarma', and other details mentioned on the account as 'President of Rohini District Aam Aadmi Party SM & IT Cell Delhi'. The said post alleges that whenever this Court attends "RSS BJP events", promotions are granted to it, as admitted by this Court in an event, and thereafter insinuates that despite such alleged association, this Court continues to hear proceedings concerning respondent no. 18 Arvind Kejriwal while acting under some undisclosed "pressure". The said post is accompanied by a video clipping of a speech being delivered by this Court. The said post, published on 21.04.2026 at

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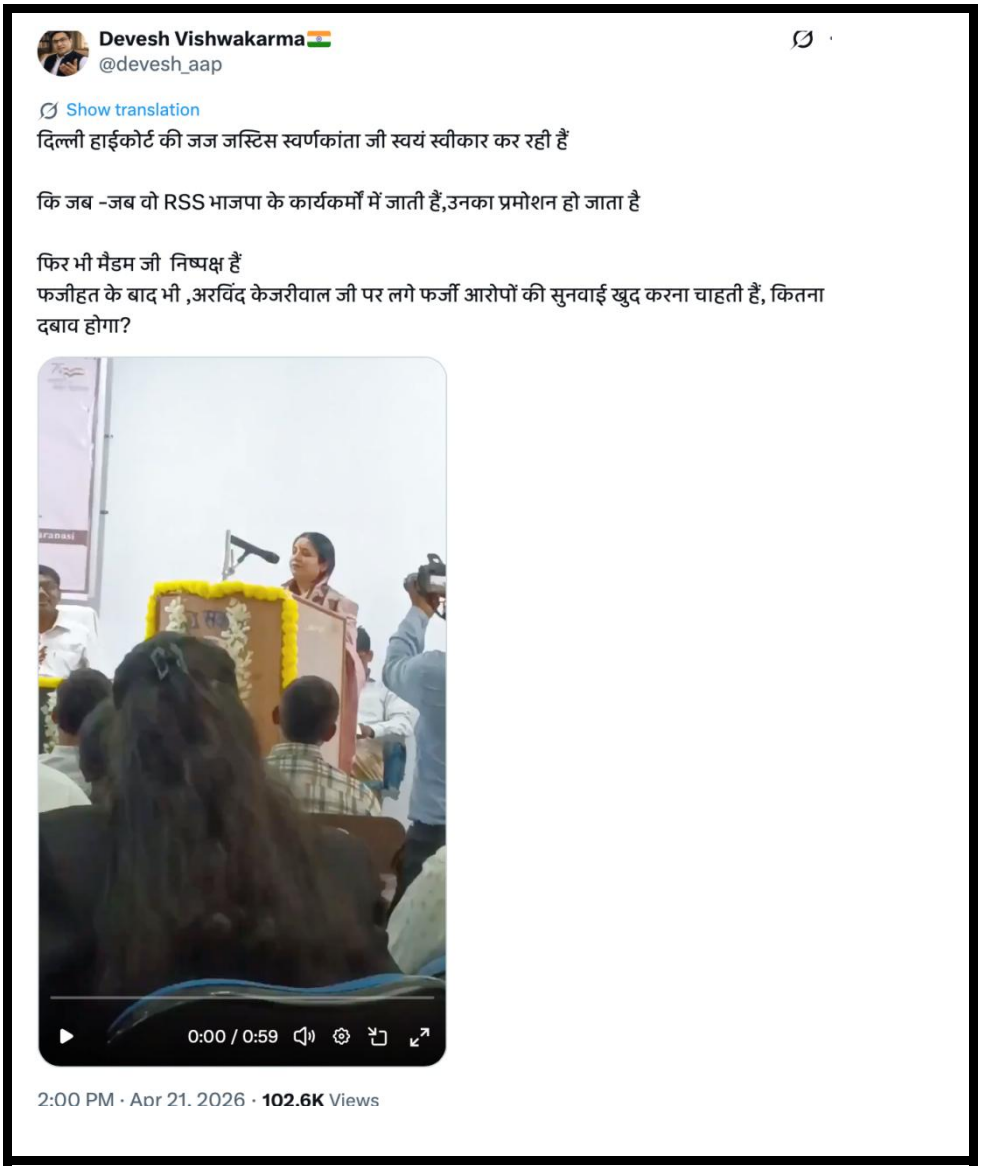
2:00 pm, as on date, has more than 1 lakh views and about 3000 re-posts. The details of the same are as under:



URL: https://x.com/devesh_aap/status/2046506866348568742?s=46&t=w_scX5KIdsxUo2dD56_R_Q

71. It is noteworthy that the video in question pertains to a lecture delivered by this Court at Mahatma Gandhi Kashi Vidyapeeth

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University, Varanasi, Uttar Pradesh, during a one-day national workshop on the newly enacted criminal laws held on 19.05.2024. The video shared by the above user appears to have been selectively cropped in such a manner that the banner and details of the event are not visible. Further, only a clip of about 59 seconds has been extracted from the original video of about 6 minutes and 50 seconds which was posted at the Facebook account of Mahatma Gandhi Kashi Vidyapeeth University, and thereafter the edited video has presented in a misleading and decontextualized manner so as to falsely portray to the public at large that the lecture was delivered at an event associated with RSS/BJP, which was not the case.

72. This Court further notes that during the course of the said lecture, **some references were made by this Court to Lord Shiva, popularly revered in Varanasi/Kashi as "Baba Vishwanath" or "Baba Bholenath", as also to the cultural and spiritual significance of the city of Kashi/Varanasi.** *Prima facie*, it is clear that these references have been deliberately distorted and projected in the aforesaid social media post as references to a political party or an organisation, so as to falsely create an impression of this Court's political affiliation and political proximity in the minds of te people. Moreover, the tenor of the post seeks to convey to the general public and litigants appearing before this Court – that this Court had publicly stated that promotions were received whenever events organized by a particular political/ideological organization were attended. However, a plain reading of the speech indicates that the reference was to Lord Shiva / *Mahadev* and the spiritual significance

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associated with the city of Kashi, and not to any political party or political organization whatsoever.

73. In this regard, it has also come to the notice of this Court that certain news agencies/platforms, including Bar & Bench, Press Trust of India, India Today, Alt News, etc. have published **fact-check reports** clarifying that the impugned video clip being circulated on social media is a truncated and misleading extract of the original lecture delivered by this Court. Some of these fact checks can be found on the following URLs:

Press Trust of India	https://www.ptinews.com/fact-detail/old-video-of-delhi-hc-judges-speech-from-kashi-vidyapeeth-workshop-shared-on-social-media-with-false-claim/3595271
Bar & Bench	https://www.barandbench.com/news/fact-check-justice-swarana-kanta-sharma-did-not-say-her-participation-in-rss-events-leads-to-her-promotion
Alt News	https://www.altnews.in/justice-swarana-kanta-sharmas-speech-at-varanasi-varsity-shared-out-of-context-falsely-linked-to-rss/

74. Further in this regard, certain newspapers have also published fact-check reports concerning the above-noted cropped video published and circulated on social media platforms, clarifying that the said video was not related to any political event or political organisation. Rather, the event pertained to a one-day workshop on the topic “Relevance of New Criminal Law in Changing India,” held

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at Mahatma Gandhi Kashi Vidyapith. The news reports also clarify that the reference made therein was to Lord Shiva, which has subsequently been misrepresented and falsely linked to a political organisation. Some of these newspaper reports are set out under:

एक दिवसीय कार्यशाला शीर्षक 'बदलते भारत में नए क्रिमिनल लॉ की प्रासंगिकता' का आयोजन

वाराणसी (समाचार धारा)। वाराणसी विधि विभाग, महात्मा गाँधी काशी विद्यापीठ मे एक दिवसीय कार्यशाला शीर्षक 'बदलते भारत में नए क्रिमिनल लॉ की प्रासंगिकता' (Relevance of New Criminal Law in Changing India) का आयोजन दिनांक 19 मई 2024 को कान्फ्रेंस हाल, विधि विभाग में सम्पन्न हुई थी। इस शैक्षणिक कार्यशाला की मुख्य अतिथि माननीय न्यायाधीश स्वर्णकान्ता शर्मा. दिल्ली उच्च न्यायालय, दिल्ली थीं। विशिष्ट अतिथि प्रो0 पिंकी शर्मा, विधि संकाय, दिल्ली विश्वविद्यालय, दिल्ली एवं बौद्धिक सत्र की अध्यक्षता माननीय प्रो० आनन्द कुमार त्यागी, कुलपति, म.गा. काशी विद्यापीठ वाराणसी कर रहे थे। यह शैक्षणिक एक दिवसीय कार्यशाला शुद्ध रूप से अकादमिक वातावरण में विधि के छात्र, छात्राओ, शोधार्थियों एवं विधि आचार्यों के शैक्षिक उन्नयन के लिए आयोजित था जिसमें

मुख्य अतिथि माननीय न्यायाधीश स्वर्णकान्ता शर्मा, दिल्ली उच्च न्यायालय ने बदलते भारत में नए आपराधिक कानून की प्रासंगिकता पर अपने मौलिक विचारों, तथ्यों एवं नए दृष्टांतो का उदाहरण दे कर वर्तमान एवं भविष्य की चुनौतियों के अनेक प्रारूपों को स्पष्ट किया। माननीय न्यायाधीश स्वर्णकान्ता शर्मा ने लगभग 20 मिनट व्याख्यान दिया। आपने नए आपराधिक कानून के महत्व को इंगित करते हुए इसकी उपयोगिता पर सारगर्भित विवेचना किया। आपका व्याख्यान कानून के छात्रों, शोधार्थियो एवं आचार्यों के साथ विशिष्ट अतिथि प्रो० पिंकी शर्मा, विधि संकाय, दिल्ली विश्वविद्यालय, दिल्ली एवं कार्यशाला की अध्यक्षता कर रहे माननीय प्रो० आनन्द कुमार त्यागी, कुलपति, म.गां. काशी विद्यापीठ, द्वारा सराहा गया। यह एक दिवसीय कार्यशाला पूर्णरूप से बौद्धिक उन्नयन के लिए थी। इस कार्यशाला का राजनीति एवं किसी भी संगठन से कोई सम्बन्ध नही था। विगत कुछ दिवसों से मीडिया में विधि विभाग के एक दिवसीय कार्यशाला की मुख्य अतिथि माननीय न्यायमूर्ति स्वर्णकान्ता शर्मा के वक्तव्यों को अन्य सामाजिक, सॉस्कृतिक संगठन से जोड़ कर बताया जा रहा है जो निराधार एवं भ्रामक है जबकि वे बनारस आने पर बाबा भोलेनाथ की अपने ऊपर कृपा होने की बात कही, जो उनके अपने आस्था की बात है। वास्तविक रूप से यह विधि विभाग द्वारा आयोजित दिनाँक 19 मई, 2024 के शैक्षणिक कार्यशाला का फुटेज है।

एवं कई अन्य विशिष्ट जन मौजूद रहे। मुलाकात की। बीज भण्डारों से 50 प्रतिशत अनुदान पर प्राप्त होंगे। आन जितेंद्र मौर्य, प्यारे लाल मौर्य आदि कृषक उपस्थित रहे।

माननीय न्यायमूर्ति स्वर्णकान्ता शर्मा के वक्तव्यों को अन्य सामाजिक, सॉस्कृतिक संगठन से जोड़ कर बताया जा रहा है

वाराणसी (समाचार धारा)। वाराणसी विधि विभाग, महात्मा गाँधी काशी विद्यापीठ मे एक दिवसीय कार्यशाला शीर्षक 'Relevance of New Criminal Law in Changing India का आयोजन दिनांक 19 मई 2024 को कान्फ्रेंस हाल, विधि विभाग में सम्पन्न हुई थी। इस शैक्षणिक कार्यशाला की मुख्य अतिथि माननीय न्यायाधीश स्वर्णकान्ता शर्मा. दिल्ली उच्च न्यायालय, दिल्ली थीं। विशिष्ट अतिथि प्रो0 पिंकी शर्मा, विधि संकाय, दिल्ली विश्वविद्यालय, दिल्ली एवं बौद्धिक सत्र की अध्यक्षता माननीय प्रो० आनन्द कुमार त्यागी, कुलपति, म.गा. काशी विद्यापीठ वाराणसी कर रहे थे। यह शैक्षणिक एक दिवसीय कार्यशाला शुद्ध रूप से अकादमिक वातावरण में विधि के छात्र, छात्राओ, शोधार्थियों एवं विधि आचार्यों के शैक्षिक उन्नयन के लिए आयोजित था जिसमें मुख्य अतिथि माननीय न्यायाधीश स्वर्णकान्ता शर्मा, दिल्ली उच्च न्यायालय ने बदलते भारत में नए आपराधिक कानून की प्रासंगिकता पर अपने मौलिक विचारों, तथ्यों एवं नए दृष्टांतो का उदाहरण दे कर वर्तमान एवं भविष्य की चुनौतियों के अनेक प्रारूपों को स्पष्ट किया। माननीय न्यायाधीश स्वर्णकान्ता शर्मा ने लगभग 20 मिनट व्याख्यान दिया। आपने नए आपराधिक कानून के महत्व को इंगित करते हुए इसकी उपयोगिता पर सारगर्भित विवेचना किया। आपका व्याख्यान कानून के छात्रों, शोधार्थियो एवं आचार्यों के साथ विशिष्ट अतिथि प्रो० पिंकी शर्मा, विधि संकाय, दिल्ली विश्वविद्यालय, दिल्ली एवं कार्यशाला की अध्यक्षता कर रहे माननीय प्रो० आनन्द कुमार त्यागी, कुलपति, म.गां. काशी विद्यापीठ, द्वारा सराहा गया। यह एक दिवसीय कार्यशाला पूर्णरूप से बौद्धिक उन्नयन के लिए थी। इस कार्यशाला का राजनीति एवं किसी भी संगठन से कोई सम्बन्ध नही था। विगत कुछ दिवसों से मीडिया में विधि विभाग के एक दिवसीय कार्यशाला की मुख्य अतिथि माननीय न्यायमूर्ति स्वर्णकान्ता शर्मा के वक्तव्यों को अन्य सामाजिक, सॉस्कृतिक संगठन से जोड़ कर बताया जा रहा है जो निराधार एवं भ्रामक है जबकि वे बनारस आने पर बाबा भोलेनाथ की अपने ऊपर कृपा होने की बात कही, जो उनके अपने आस्था की बात है। वास्तविक रूप से यह विधि विभाग द्वारा आयोजित दिनाँक 19 मई, 2024 के शैक्षणिक कार्यशाला का फुटेज है।

75. Therefore, the selective clipping of the video and misleading portrayal – of the lecture delivered by this Court and reference made to Lord Shiva – is intended to create an impression in the minds of

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litigants, both present and prospective, that this Court is politically aligned or politically influenced while discharging judicial functions. In this Court's view, such statements have the tendency to undermine the confidence of litigants and members of the public in the impartiality and independence of this Court, especially when this Court is dealing with criminal matters pertaining to sitting or former MPs or MLAs, and suggesting that judicial proceedings are being conducted by this Court under political influence. In other words, such a statement, clearly, is intended to create a perception amongst litigants and members of the public that proceedings before this Court are not being adjudicated independently and in accordance with law, with apparently an attempt to erode public confidence in the impartiality and independence of the judiciary and to scandalise the institution of the Court itself.

76. *Prima facie*, therefore, **the aforesaid statement published by Devesh Vishwakarma appears to fall within the ambit of criminal contempt as defined under Section 2(c) of the Contempt of Courts Act, 1971,** inasmuch as it tends to scandalise and lower the authority of this Court.

77. It is also pertinent to note that even a **similar false and misleading claim**, of this Court admitting getting promoted every time it attends events of RSS, **was made by Sanjay Singh** of Aam Aadmi Party, *vide* post published on 27.04.2026 at 10:43 AM on 'X' (**@SanjayAzadSln**), which has already been noted above in preceding discussion and opined to be contemptuous.

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Contemptuous content published by '@vinayymishraap' on 'X'

78. Another similar post, which has come to the notice of this Court has been published from the account bearing the handle "**@vinayymishraap**" on the social media platform 'X', with display name as 'Vinayy Mishra' and and other details mentioned on the account as 'Ex MLA-Dwarka, Ex Vice Chairman-Delhi Jal Board'. In the post published on 20.04.2026 at 8:23 PM, Vinayy Mishra states, in substance, that this Court repeatedly attends programmes of a political organisation; that this Court also receives awards from the hands of organisers of such organisation; and that when persons belonging to an opposing political ideology raise objections, this Court gives them lessons on ethics. The post further sarcastically states that a Rajya Sabha seat for this Court is "certain" and remarks "what more could one expect", while asking viewers to identify the face shown in the photograph accompanying the post. The post is as under:

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URL:
https://x.com/vinayymishraap/status/2046240962897392083?s=20

79. As already noted in the preceding discussion, the videos and photographs circulated along with the present post also pertain to the lecture delivered by this Court at Mahatma Gandhi Kashi Vidyapeeth, Varanasi. The photographs showing this Court being presented with a memento, as is ordinarily done during academic lectures, seminars and public events, have been projected in the post as if this Court was receiving awards at programmes organised by a political party or political organisation, which is clearly misleading,

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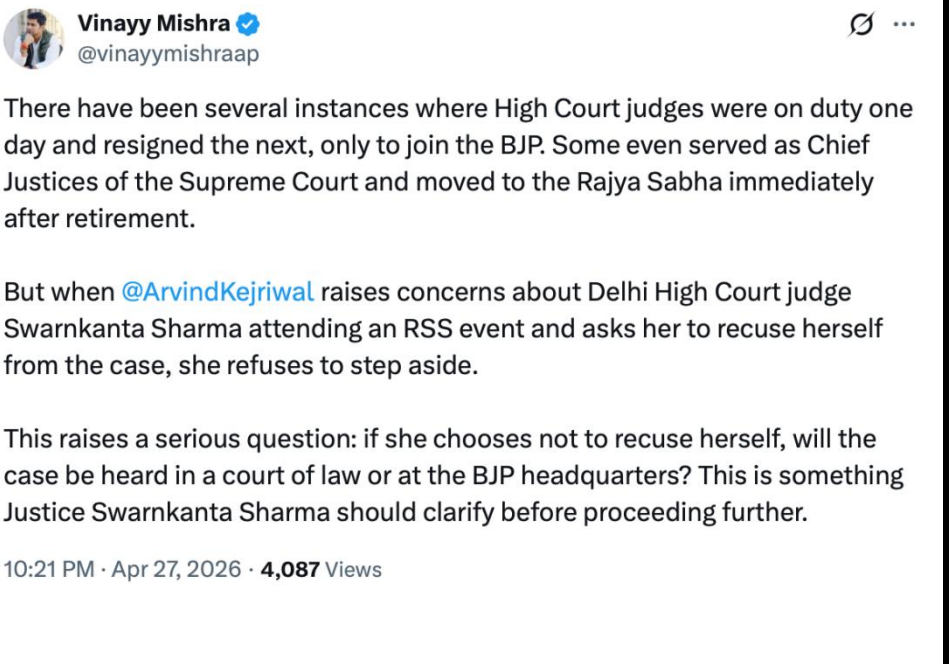
distorted and completely divorced from the actual context of the event.

80. There is one another post on the same social platform 'X' published by "**@vinayymishraap**" wherein he, after referring to certain judges who allegedly joined political office after retirement, states that if this Court does not recuse itself from proceedings concerning Sh. Arvind Kejriwal, the question would arise "*whether the case will be heard in a court of law or at the BJP headquarters*." It is also pertinent to note that the said post was published on 27.04.2026 at 10:21 pm, i.e. a week after this Court had rejected the applications seeking recusal of this Court by way of a detailed judicial order. The post is extracted hereunder:



URL: https://x.com/vinayymishraap/status/2048807332789047678?s=46&t=w_scX5KIdsxUo2dD56_R_Q

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81. The above statement made by Vinayy Mishra, in effect attributes political allegiance and lack of judicial independence to this Court. The insinuation that proceedings before this Court may effectively be conducted from the '*headquarters of a political party*', if this Court does not recuse from the matter, cannot be termed as a mere expression of disagreement with a judicial order or a recusal request; but the same, in this Court's view, clearly tends to convey to the public and litigants at large that this Court, despite being a constitutional court, would function at the dictates of a political party and that judicial proceedings before it would be governed by political considerations rather than by the Constitution and rule of law. The statement further tends to create an impression that this Court lacks independence and impartiality and that outcomes of proceedings before it may be politically influenced or predetermined.

82. Allegations of such nature have the tendency to scandalise this Court and lower the authority of the judiciary in the eyes of the public by portraying a sitting Judge of a High Court as functioning from or under the influence of a political party or conducting proceedings at or receiving orders from the headquarters of a political party. This Court is further of the view that statements of this nature are also capable of shaking the confidence of litigants and members of the public in the fairness and neutrality of the judicial process and thus, tend to interfere with administration of justice.

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83. Therefore, the **aforesaid statement published by Vinayy Mishra appears to fall within the ambit of criminal contempt as defined under Section 2(c) of the Contempt of Courts Act,** inasmuch as it tends to scandalise and lower the authority of this Court.

Contemptuous content published by 'Saurabh Bhardwaj' on YouTube

84. Another startling video has been brought to the notice of this Court. This Court notes that a press conference was held on 10.03.2026 by **Saurabh Bhardwaj**, State President, Delhi of Aam Aadmi Party, and was broadcasted on the official YouTube account of "Aam Aadmi Party" and also shared on its official account on 'X'. It is pertinent to note this was held one day after the present matter was first listed before this Court, i.e. on 09.03.2026. By this time, none of the parties before the court had expressed any apprehension of bias or filed any recusal application.

85. But during the course of the said press conference, which was titled as "BJP ka High Court ki Judge se kya rishta hai?", while referring to proceedings arising out of the liquor policy case, Saurabh Bhardwaj, at 5:23 minutes, publicly questioned the integrity and impartiality of this Court by stating: "*Justice Swarana Kanta Sharma ka Bharatiya Janata Party se kya rishta hai... inn logon ko ye batana chahiye.*" The details of the video are as under:

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URL: https://www.youtube.com/live/qc2D6KB5Z8A?si=kguybXnuUJbXVb2p

86. The aforesaid statement appears to have been made **only because** certain political leaders, belonging to another political party, had publicly expressed their opinion that the accused persons in the present case pertaining to alleged Delhi Excise scam would be punished when the matter proceeds before the High Court.

87. In this Court's opinion, merely because a political leader makes a statement in public, expressing confidence regarding the possible outcome of a case pending before the Court, no inference can be drawn that the Judge hearing the matter has any relationship, connection or understanding with the political party to which such

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speaker belongs. If such a line of reasoning is accepted, then every public statement made by any political leader, litigant or supporter – expressing hope or confidence regarding the outcome of a case in the favour of the accused – would become a basis to publicly question the integrity of the Judge hearing the matter, by questioning as to how an accused is saying that he will, *for instance*, get discharged or acquitted from the Court and what relation he has with the Judge.

88. This Court is also of the view that publicly asking what "relationship" a sitting Judge of a High Court has with a political party must be told to the public, without any factual basis, is in no manner any fair criticism of a judicial proceeding. The natural effect of such a statement is to create an impression in the minds of the public that judicial proceedings before this Court are influenced by political considerations and political proximity rather than by law and the Constitution. Statements of this nature, made during the pendency of proceedings in a case before the Court, and circulated widely through social media and digital platforms, tend to lower the authority of this Court and scandalise the institution by portraying a sitting Judge as politically connected, while discharging judicial functions, especially when this Court has been assigned the roster of criminal cases pertaining to sitting and former MPs and MLAs. Such statements are also likely to create distrust in the minds of litigants regarding the fairness and impartiality of proceedings before this Court.

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89. Therefore, the **aforesaid statements made by Saurabh Bhardwaj appear to fall within the ambit of criminal contempt as defined under Section 2(c) of the Contempt of Courts Act**.

CONCLUSION

Public Campaigns and Attempts to Achieve Outside the Courtroom What Could Not Be Achieved Inside It

90. This Court is conscious of the fact that respondent no. 18 and some of the other proposed contemnors are not ordinary litigants unfamiliar with legal processes. They are persons holding or having held high public offices, are legally advised, and except respondent no. 18 for the limited purpose of recusal application were throughout represented by experienced counsels before this Court. As discussed above, some of the respondents had filed applications seeking this Court's recusal, which were heard at length and thereafter rejected by this Court. The order rejecting the applications seeking recusal was a detailed judicial order running into more than 100 pages and was open to challenge before the appropriate forum in accordance with law.

91. **This Court had already made its position clear while dismissing the recusal applications** that judicial proceedings cannot be directed by pressure, public perception campaigns or unfounded allegations, and that this Court would not recuse itself merely because such allegations were made.

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92. The legal remedies available against judicial orders were fully known to these respondents. However, instead of pursuing such remedies, the course adopted thereafter changed substantially. Respondent no. 18 publicly announced through social media platforms and public statements that he would not appear before this Court in this case, which was followed by respondent no. 8 and 19 as well. **A common litigant ordinarily does not adopt such a course by choosing a** path unknown to law.

93. Further, as discussed above, even after the recusal applications were rejected, the actions and utterances casting insinuations and allegations, the allegations against this Court did not stop. On the contrary, they were intensified through public letters, "*Satyagraha*", press conferences, social media campaigns, edited videos and repeated public statements questioning the integrity and impartiality of this Court. Public declarations were thereafter made by some respondents that they would not participate in proceedings before this Court in relation to the present case.

Circulation of Misleading and Edited Video Relating to Lecture delivered by this Court at Kashi

94. **Particularly disturbing is the manner in which the video relating to the lecture** delivered by this Court at Mahatma Gandhi Kashi Vidyapeeth, Varanasi, came to be circulated in a cropped, edited and misleading manner. As already noted in preceding discussion, the references in the speech were in the context of Lord Shiva and the cultural and spiritual significance of Kashi/Varanasi.

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However, the same was publicly projected as if this Court had made statements concerning RSS/BJP and political patronage. The said narrative was thereafter repeatedly amplified by several social media handles, YouTube channels, public speakers and political functionaries. It appears that these allegations were not made casually or in isolation, but were part of a sustained public campaign questioning the credibility and impartiality of this Court.

95. This may be one of the **rare instances** where a cropped and edited video of a sitting Judge was repeatedly circulated and amplified by political functionaries, spokespersons, social media accounts, and digital platforms in order to support allegations of political affiliation, and certain news portals had to publish fact-check reports in this regard, to show that the narrative being circulated was false and misleading. However, despite such fact-checking, the same allegations continue to be repeated and amplified.

96. **Apparently**, the entire exercise appeared aimed at achieving indirectly, through public pressure and social media campaigns, what could not be achieved directly through judicial proceedings and legal arguments before the Court – that this particular matter pertaining to discharge of respondents in the 2022 Delhi Excise Policy – be not heard by this Court.

Judicial Silence, Organised Vilification and Protection of the Institution

97. Historically, judges have been expected to possess courage, restraint and the ability to withstand criticism and pressure. A Judge

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is expected to maintain calmness and decide matters according to law without being easily disturbed by public opinion. However, when a litigant crosses the line between fair criticism and organised vilification of the Judge presiding over a case, the issue does not remain one of mere criticism.

98. Further, it will be **too much to expect a Judge to be so thick-skinned, thick-headed or insensitive as to remain completely unaffected by sustained public humiliation, vilification and attempts to bring down the dignity of the Court. Judges are human beings and not gods. This Court has little doubt that such sentiments would find resonance with many judges across different levels of the judicial system**.

99. But unfortunately, **judges have very limited means to protect themselves** from such vilification. **Judges do not hold press conferences**. By the nature of judicial office, judges are expected to speak only through their judgments and orders. In today's world of social media trials and organised online campaigns, it has become extremely easy to generate public narratives against judges and courts and to spread the same widely within a short span of time. It has become much easier to poison the fountain of justice.

100. In the opinion of this Court, powerful litigants or political personalities may, if they so choose, publicly vilify judges. However, judges, by virtue of the discipline of their office, do not enter into public controversy or answer allegations in media platforms. It is for this reason that the **law of contempt exists** – not to protect the ego of

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a Judge, but to protect the institution of judiciary and public confidence in administration of justice.

101. If a Judge commits an error in a judgment, or if a litigant is aggrieved by an order, the law provides remedies by way of appeal or challenge before a higher court. What law does not permit is malicious campaigns, false narratives and character assassination of judges through social media and public platforms.

102. **This Court also does not labour under the misconception that respect for judges can be compelled.** Judicial orders may be enforced by law, but respect for the judiciary ultimately flows from public confidence in its independence and fairness of the judge and judiciary. At the same time, complete silence in every situation, merely in the name of preserving dignity of the Bench, may in some cases weaken rather than strengthen public confidence in the institution.

103. This Court also observes that **freedom of speech** is a cherished constitutional right and remains fully protected by law. However, freedom of speech is also not absolute. One cannot claim constitutional protection for generating false public narratives against a Court through organised social media campaigns. Free speech cannot extend to paralysing or obstructing the administration of justice.

104. This Court is also conscious that law cannot remain static and constitutional courts are required to deal with new situations arising from changing modes of communication and technology. Today,

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social media platforms have the capacity to instantly circulate allegations, edited videos and targeted campaigns to lakhs of viewers within a short span of time, and thus, create a narrative that the contemnors so desire taking advantage of silence of the judge. Therefore, allegations attacking the credibility of courts, when amplified repeatedly through digital platforms, have the potential of causing serious damage to public confidence in the justice delivery system.

105. In the present case, the allegations were not confined to criticism of a judicial order. Repeated attempts were made to create a public narrative that this Court was biased against a particular litigant, acting in favour of certain political interests and influenced by non-legal considerations. Allegations of this nature, when publicly circulated through press conferences, social media campaigns, edited videos and speeches, have the effect of shaking the confidence which litigants and ordinary citizens place in the fairness and impartiality of the justice delivery system.

106. Disrespectful and malicious attacks upon the judiciary cannot be accepted in the name of criticism. **While some may criticise the power of courts to initiate contempt proceedings, they often do not suggest what a Judge is expected to do in circumstances where organised attempts are made to publicly destroy confidence in the Court while the Judge herself remains institutionally silent**.

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107. This Court is conscious that initiation of criminal contempt proceedings is a serious matter and cannot be resorted to lightly. Such jurisdiction is required to be exercised with restraint, with a calm mind and without personal anger or emotion. However, when attacks upon a Judge are made in a manner which tends to undermine public confidence in the institution of the judiciary and obstruct administration of justice, and at the same time, scandalising the court and attempting to lower its authority, the Court cannot remain a silent spectator. This is so, since there is a clear danger in ignoring such conduct. If actions of this nature are permitted to pass without notice, it may send a message that courts can be subjected to organised public pressure, vilification campaigns and false media narratives with the object of influencing judicial proceedings.

108. It is pertinent to note that even though six respondents had filed recusal applications before this Court, three of them, even after their applications being dismissed, have continued to appear before this Court and file their replies to the main petition. However, the three recusal applicants chose not to appear before this Court.

109. **While three respondents i.e. Arvind Kejriwal, Manish Sisodia and Durgesh Pathak publicly declared that they were prepared to suffer legal consequences** for their non-participation in the present case before this Court, the legal system nevertheless continued to operate in the ordinary course, as it does in all other cases. This Court had therefore proceeded in the manner required under law. Since three respondents had chosen not to appear before

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this Court despite being served and appeared earlier, this Court had considered appointment of *amici curiae*, as is routinely done in cases where accused persons choose not to defend themselves. Such appointment was not intended as any special indulgence towards any individual, but was only in furtherance of the sanctity of legal process and the duty of courts to ensure that proceedings continue in accordance with law. Though this Court also had the option of adopting coercive measures, including issuance of bailable warrants and initiation of consequential proceedings in relation to the bonds furnished by the concerned respondents under Section 437A of Cr.P.C., particularly since the respondents had bound themselves to appear before the Court as and when required, yet this Court had decided initially not to adopt such coercive measures.

110. However, it became apparent to this Court, after becoming aware of what was being published on social media platforms, that the present matter **had travelled beyond mere abstention** from proceedings under the garb of "*Satyagraha*". **Though the accused remained absent inside this Court, he remained present at social media platforms and continued to cast aspersions on this Court and kept on maligning and scandalising this Court**. And thereafter, a public campaign was initiated against this Court through repeated allegations, social media dissemination, press conferences, edited videos and public statements. The proposed contemnors, in this Court's view, crossed the limits of fair criticism and sought to create a public narrative against this Court after having failed to obtain the relief sought through legal proceedings.

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111. In a court of law, neither the Judge nor the litigant is supreme. What remains supreme is the rule of law and the constitutional framework within which courts function. Judicial proceedings cannot be permitted to come to a standstill merely because one of the parties chooses not to participate after suffering an adverse order.

112. Additionally, the saying "**Actions speak louder than words**" could not be more true than in the present case, since the accused/respondent no. 18, on the one hand, repeatedly wrote in his recusal application that he does not doubt the integrity of this Court, perhaps to avoid inviting contempt proceedings, while, on the other hand, at the same time indulging in acts which are utterly contemptuous. This **Court has no misconception** that respect cannot be enforced. However, this Court also has no misconception that orders of a Court of law can be enforced and, therefore, an act of contempt committed against a Court of law will invite consequences which are enforceable as per law.

Concluding Reflections

113. A Judge, at times, is required to walk a lonely path in such situations. Unlike others, a Court cannot enter the public domain itself to defend itself through press conferences, or answer allegations in the marketplace of public narratives even when personally targeted. **Undoubtedly**, **even for this Court, the self-imposed silence of judicial discipline to not respond in the public domain has been lonely.** In the present case, the response to the proposed contemnor by way of a dignified judicial order by the Court and on

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the other hand, the loud and unfair criticism and scandalisation of the Court by the proposed contemnors, revealed an asymmetrical situation. This Court still remained **firmly aware** that such campaigns would fade, however a reasoned, honest and courageous order would become a precedent. **The challenge in the present situation, while the vilification campaign was being carried out, was not surviving it, but ensuring and promising oneself that the bitterness, at times felt, did not enter my judicial mind.**

114. This order is not an order written either with anger or ill will against any litigant as this Court respects all litigants before it. The order has followed the actions on part of the contemnors which have selectively targeted this Court and in the process have also targeted the judiciary as a whole and the administration of justice.

115. The Court cannot permit erosion of the constitutional system and the justice delivery system by tolerating organized assaults in the name of public discourse. This Court will not permit such erosion. Yet, despite the above, this Court is not speaking through anger. These observations are not being recorded out of wounded pride or to seek vindication. This Court harbours no personal hostility towards any of the contemnors. The loyalty and fidelity of this Court are owed solely to the Constitution of India. Even in difficult times, its foremost duty remains to preserve the dignity, independence, and credibility of the institution which it has sworn to protect.

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116. Accordingly, upon consideration of the material on record, **this Court is satisfied that the acts of the proposed contemnors constitute criminal contempt within the meaning of the Contempt of Courts Act, 1971, as they were calculated to scandalize the Court, lower the authority of the institution of justice, interfere with the administration of justice, and intimidate the independent exercise of judicial functions.** This Court has, therefore, taken its course with a calm mind, yet firmly and without fear.

117. Before parting with this case, this Court reminds all concerned that constitutional courts are, have remained and will remain the comfortable refuge of every citizen to raise voice against arbitrariness, access and bringing accused to face the consequences. This Court is drawing these proceedings not to seek insulation from criticism but because the material before it reveals an attempt by the contemnors to harm the institution of judiciary itself.

118. **This Court neither seeks sympathy nor demands immunity from criticism. This Court does not require applause; it functions upon the constitutional trust of the people on it and would protect it when deliberate attempts are made to poison the fountain of justice.**

119. **While the judges may come and go**, the institution of justice will be remembered by orders and actions of the judges who did not permit the rule of law to kneel before intimidation and fear of orchestrated, manufactured, public narrative and embarrassment.

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What must endure under all circumstances is the constitutional promise that justice in Bharat has and shall remain fearless and will guard its fort that is the Courts of law and the constitutional courts with all its might.

120. This Court, therefore, holds that the acts of the contemnors constitute a deliberate attempt to scandalize the Court, lower the authority of the judicial institution, interfere with the administration of justice, and instill fear within the judicial system that, in the event a decision of the Court is not to their liking, they can strike at the edifice of justice by maligning the Judge. If such conduct is permitted, it would amount to striking at the very foundation of judicial independence. Such scandalous allegations and calculated attempts cannot be permitted to pass under the guise of democratic criticism or free speech.

121. **To conclude**, this Court was not merely criticised on account of its judicial actions by the proposed contemnors; rather, both in its individual and official capacity, this Court was scandalized in a manner intended to ensure that the wheels of justice cease to move fearlessly and independently. **However, under such pressure**, this Court shall not bend to personal targeting and holds that the rule of law cannot be permitted to surrender before intimidation, orchestrated vilification, or the weight of political or public influence. The constitutional duty of a Court is not to seek comfort in silence, but to preserve the dignity, independence, and fearless functioning of the justice delivery system.

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122. The question that history may ask is whether the constitutional institution, in its hour of testing, stood up for itself or surrendered to intimidation disguised as public discourse. The answer, in the opinion of this Court, should be in the affirmative. This order is not being written to defend myself or out of any personal hurt, since this Court does not forget that judges are only temporary custodians of institutions. It is the institution which is greater than the individual Judge who occupies the Bench. This Court is also conscious that precedents laid down in such cases endure for a long time.

123. **Let this order record**, and the parties and the counsels be witnesses that this Court was scandalized, threatened with personal attacks, was maligned for public gaze yet this Court stood by the constitution and the constitution stood with it.

The Campaign of 'Satyagraha'

124. Before parting with the case, it must also be observed that, interestingly, the action termed *Satyagraha* by the proposed contemnors/ respondent no. 8, 18 and 19, was in connection with the liquor policy case and against a sitting judge who was to hear this case, however, even before a line of the order could be written or even the first line of the arguments could be heard in the main case, the action termed *Satyagraha* was posted all over social media only with the intent to bring the order rejecting recusal in the public domain and make it a centre of controversy. Needless to say, an ordinary person goes to a higher Court to challenge it and not start a *Satyagraha*, whatever it may mean in the present circumstances.

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Taking advantage of his position of social media reach, he used the recusal rejection order to draw attention of the public towards the judge and the Courts of law, the only issue being that the presiding judge refused to allow his application of recusal. This Court shudders to think as to what would happen to the entire judicial system, law and order in the country and the rule of law, if all accused persons start taking this path of targeting the judge to shift the focus from them to the system itself. **This Court cannot allow this attempt which is cleverly clothed in the action called *Satyagraha*, through social media posts intended to derail the entire judicial system and sow seeds of such contemptuous path in the minds of the public at large.** Howsoever powerful or influential an accused be, he should not be allowed to even assume for a moment that he can demolish the Indian judicial system, its judges or procedures established by law so easily as by a manufactured opinion, social media narrative, verging on bullying and trying to browbeat a sitting judge by dragging her family into the controversy and targeting the judge instead of targeting her order before the court of law as by law established.

125. The institution of judiciary and its judges in India are not so weak as to be browbeaten by such actions as they know and are trained that at times, constitutional courage has to pay a price as in the present case by fighting the battle through a judicial order, when the litigant contemnor has used its entire machinery of political party and social media narrative with his might and resources. ***Satyagraha* means '*the satya ka agrah*', i.e. holding firmly to truth.**

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126. **In the present case, the course available to any person in the country being aggrieved by a judicial order is to hold on to his truth when he is sure of his truth and take it to a higher Court. It does not mean to believe in one's truth, and to prove it to the general public instead of the Court of law as he was required to, under the law of this country. Instead the contemnors tried to prove that there was something wrong with the judge instead of the judgment. The litigant was well within his right to challenge the judgment, however, he had no right to challenge the judge by scandalizing her Court and terming her as biased and politically inclined, which is the opposite of *Satyagraha*.** It is a strange situation where the accused to prove himself truthful has gone all over the social media along with his other party members etc. to prove that the judge was incapable of doing justice. The Indian Judicial System cannot afford such contemptuous and calculated moves to browbeat the judiciary.

The Two Options Before This Court: Judicial Silence or Constitutional Duty?

127. This Court is also of the opinion that **some of the proposed contemnors were fully conscious** that once such allegations and campaigns are continuously directed against a sitting Judge personally hearing the matter, a situation may eventually arise where the Court would be required to consider initiation of contempt proceedings in order to protect the dignity and authority of the institution. In such circumstances, continuation of the main matter

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before the same Court may itself become difficult from the standpoint of judicial propriety.

128. **Faced with such a situation,** this Court was left with **two options**. **The first option** was to continue remaining silent despite repeated public attacks upon the integrity of this Court and the institution of the judiciary, and continue hearing the case. **The second option** was to take notice of the conduct complained of and examine whether the same disclosed acts amount to criminal contempt affecting administration of justice and public confidence in the judiciary.

129. This Court had already rejected the applications seeking recusal by a detailed judicial order and had made its position clear that judicial proceedings cannot be directed by pressure tactics, public campaigns or unfounded allegations. This Court had also clarified that it had no personal interest in hearing the present matter and had refused recusal only because **unfounded allegations cannot become a means to choose a forum or compel recusal of a Judge. The said order continues to hold the field, having not been challenged till date.**

130. **In unequivocal terms**, this Court observes that once acts appearing to constitute criminal contempt are committed directly against this Court and allegations are publicly levelled regarding the integrity and impartiality of the Court itself, the situation materially changes. The duty of this Court is not confined only to deciding one case. Equally important is the duty cast upon constitutional courts to

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preserve the dignity, independence and credibility of the institution of the judiciary.

131. In the present case, this Court is of the opinion that the **need to take cognizance of the acts complained of is far greater than the need for this Court to continue hearing the main matter.** The main revision petition can always be heard by any other Bench. However, the acts of the proposed contemnors, directed against this Court and the institution of judiciary, could only have been noticed and addressed by this Court.

132. **Once this Court has now taken cognizance of acts *prima facie* constituting criminal contempt** directed against this Court and the institution of judiciary as well, **this Court is of the view** that **judicial propriety and discipline** require that the proceedings in the **main revision petition ought not continue before this Court.** This Court is also of the opinion that if, despite initiation of contempt proceedings in relation to acts directed against this Court, the main proceedings were to continue before this Court, the contemnors may later attempt to contend that this Court proceeded further while holding personal grievance or bias against them.

Not Recusal, But Judicial Propriety and Fairness to Accused

133. In **any case, the case is being listed before another Bench, not because of any action or under pressure of contemptuous behaviour of the contemnors but because this Court even under such circumstances does not forget its duty to ensure that it is**

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fair to even the contemnor and firmly holds on to its order of recusal.

134. **Let the contemnors not be under any assumption that they succeeded in obtaining a recusal as it is not a recusal** but duty after drawing contempt to list it before another Bench, so that complete justice is done. It is **not to please the accused** but to ensure fidelity to the constitution, it is **not due to fear of further humiliation** and embarrassment or scandalization of the contemnors but due to being bound to the oath of fair trial **even to a contemnor**. **Let there be no assumption in the minds of the contemnors that they pressurised the Court into not hearing the case and even if they want to project it so, this Court remains unaffected by such actions.**

135. Therefore, to reiterate, **it is clarified that the present order should not be understood as this Court transferring the matter merely because demands for recusal or transfer were publicly raised. This Court is not recusing from the matter at the asking of the accused persons or because of the allegations levelled against it. The order rejecting the prayer for recusal continues to hold the field and this Court stands by the findings recorded therein without the slightest alteration. However, since this Court has now considered initiation of criminal contempt proceedings arising out of the subsequent conduct of the concerned respondents and others, and such proceedings may carry serious legal consequences in accordance with law, this Court is of the**

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opinion that it would not be appropriate for the main matter itself to continue before this Court.

136. This **Court is cognizant** of the fact that a **further narrative** of having succeeded in getting the case transferred to another Bench will be started by the contemnors in the background of, and considering their past conduct, however, **this Court categorically reiterates** that the direction to list it before another Bench **has nothing to do with** the recusal order which stands as it is unchallenged and this Court stands by each word of it.

137. The other dimension that the **contemnors must remain aware** is that even if they have committed contempt against this Court, this Court has not forgotten its duty, either while drawing the contempt, or while directing the case to be listed before another Bench as the judicial discipline and propriety demands that having drawn contempt proceedings, the case should be heard by another Bench, lest the contemnor accused(s) project themselves as victims of bias. This Court would not grant that opportunity to the proposed contemnors to draw this Court to that controversy.

138. This Court is also in the process of examining and collating other contemptuous posts and material published on social media platforms, including videos published on YouTube and other platforms, which have been brought to its notice, and further proceedings in this regard may also follow, as per law.

139. Be that as it may. **As a sequitur to the above discussion**, the Registry is directed to give appropriate case title and case number to

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the present *suo motu* criminal contempt proceedings, and place the matter before Hon'ble the Chief Justice, tomorrow i.e. 15.05.2026, for assigning the matter to appropriate Bench for conducting further proceedings, including issuance of show-cause to the proposed contemnors as per Contempt of Courts (Delhi High Court) Rules, 2025.

140. The main revision petition i.e. CRL.REV.P. 134/2026 be also placed before Hon'ble the Chief Justice, tomorrow i.e. 15.05.2026, for assigning the matter to any other Bench.

141. The judgment be uploaded on the website forthwith.

DR. SWARANA KANTA SHARMA, J

MAY 14, 2026/ns