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2026:DHC:9576

$~A-1 & A-2

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

Date of decision: 27th OCTOBER, 2026

IN THE MATTER OF:

\# **CNR No : DLHC010564642024**

\+ CRL.M.C. 6885/2024 &CRL.M.A. 14856/2026

SURAJ PRAKASH TANEJA .....Petitioner

Through:

versus

STATE NCT OF DELHI AND ANR. .....Respondents

Through: Mr. Aman Usman APP for the R-1/State .
Mr. Kishore and Mr. Laxman, Advs for R-2/Complainant.
SI Mohit Kumar, PS Tilak Nagar.
SI Rubie Singh

\# ***CNR No : DLHC010564782024***

\+ CRL.M.C. 6899/2024 &CRL.M.A. 13419/2026

SHAKIL AHMAD @ SHAKEEL .....Petitioner

Through: Mr. Kishore and Mr. Laxman, Advs.

versus

STATE NCT OF DELHI AND ANR. .....Respondents

Through: Mr. Aman Usman APP for the R-1/State .
SI Mohit Kumar, PS Tilak Nagar.
SI Rubie Singh

CORAM:
HON'BLE MR. JUSTICE SUBRAMONIUM PRASAD

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JUDGMENT (ORAL)

1. On 13.10.2026, this Court held Ms. Shamshad guilty of committing contempt of court under Section 2(b) of the Contempt of Courts Act, 1971 (hereinafter referred to as "*Contempt of Courts Act*") for non-compliance of the Order dated 02.09.2024 and for giving a false statement in Court.

2. Ms. Shamshad and her Counsel have been heard on the point of sentence. Today, this Court has listed the matter for Orders on punishment under the Contempt of Courts Act.

3. The facts, in brief, which are necessary for deciding the contempt proceedings, are as under:

a) CRL.M.C. 6885/2024 had been filed by the Petitioner under Section 482 of the Code of Criminal Procedure, 1973 (hereinafter referred to as "*Cr.P.C.*") for quashing FIR No.133/2017 dated 20.03.2017, registered at Police Station Tilak Nagar for offences punishable under Sections 354 and 354B of the Indian Penal Code, 1860 (hereinafter referred to as "*IPC*").

b) CRL.M.C. 6899/2024 had been filed by the Petitioner under Section 482 Cr.P.C., seeking quashing of FIR No.139/2017 dated 21.03.2017, registered at Police Station Tilak Nagar for offences punishable under Sections 354 and 506 IPC.

c) The Petitioner in CRL.M.C. 6885/2024, Mr. Suraj Prakash Taneja, is the landlord and father of Respondent No. 2/Complainant, Ms. Shilpa Taneja in CRL.M.C. 6899/2024, whereas the Petitioner in CRL.M.C. 6899/2024, Mr. Shakil Ahmad, is the tenant and husband of Respondent No. 2/Complainant, Ms. Shamshadin CRL.M.C. 6885/2024.

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d) The said two FIRs were registered on the basis of two cross-complaints filed by the respectiveComplainantsin a dispute between the landlord and the tenant. Subsequently, both the Parties filed their respective petitions under Section 482 Cr.P.C. seeking quashing of the FIRs on the ground that they have entered into a compromise.

e) On 02.09.2024, both the petitions came up for hearing before this Court. This Court found that both the FIRs were falsely registered by the Parties against each other. This Court observed that, of late, false cases over trivial issues and with oblique motives were being filed by the Parties against each other, particularly in relation to offences involving outraging the modesty of women. This Court also observed that the Police Officers spend their valuable time in investigating such trivial or false cases, and thereafter in instructing their Counsel and appearing before the Court during proceedings, because of which they are unableto investigate *bonafide* cases properly due to paucity of time and resources.

f) Relying upon the judgment passed by the Apex Court in Gian Singh v. State of Punjab &Anr., **(2012) 10 SCC 303**, this Court, *vide* Order dated 02.09.2024, quashed both the FIRs. However, this Court was of the opinion that the Parties should not be left scot-free for filing false cases and get away with these cases by entering intoa compromise, which is an abuse of the process of law. The relevant portion of the Order is reproduced as follows:

> *"9. However, this Court is of the opinion that the Parties cannot be left scot free for filing false cases and get away with these cases by entering into a settlement which is the abuse of the process of law and the same leads to wasting the precious judicial time.*

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10. Accordingly, The Petitioners, in both the petitions, are directed to do community service at LNJP Hospital, Delhi for a period of 15 days i.e. from 10.09.2024 to 25.09.2024 from 09:00 AM to 05:00 PM. The Petitioners shall report to the Medical Superintendent, LNJP Hospital, Delhi on 10.09.2024. The Petitioners shall report to the duty assigned to them by Medical Superintendent, LNJP Hospital, Delhi at 09:00 AM everyday for a period of 15 days. After completion of 15 days community service, a certificate from the Medical Superintendent, LNJP Hospital, Delhi be also filed to show compliance of the order of this Court.

11. The Respondent No.2/Complainants, in both the petitions, are directed to do community service at Safdarjung Hospital, Delhi for a period of 15 days i.e. from 10.09.2024 to 25.09.2024 from 09:00 AM to 05:00 PM. The Petitioners shall report to the Medical Superintendent, Safdarjung Hospital, Delhi on 10.09.2024. The Petitioners shall report to the duty assigned to them by Medical Superintendent, Safdarjung Hospital, Delhi at 09:00 AM everyday for a period of 15 days. After completion of 15 days community service, a certificate from the Medical Superintendent, Safdarjung Hospital, Delhi be also filed to show compliance of the order of this Court.

12. In case of any absenteeism/default or any misbehaviour on the part of the Petitioners and the Respondent No.2/Complainants during the period in which they have been directed to perform the community service, the same shall be conveyed immediately to the concerned SHO/IO, who shall in turn inform the learned APP for the State, for bringing the same to the notice of this Court and for seeking recall of the order passed today."

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g) The Order dated 02.09.2024 was not complied with for about one and a half years, and the matter was listed before this Court on11.05.2026. On that date, this Court passed the following Order:

> *"2. It now transpires that Mr. Shakil Ahmad (Petitioner in CRL.M.C. 6899/2024), Ms. Shilpa Taneja (Complainant in CRL.M.C. 6899/2024) and Ms. Shamshad (Complainant in CRL.M.C. 6885/2024) have not done community service as directed by this Court vide Order dated 02.09.2024. It is very unfortunate that the Police has not taken necessary action of reporting non-compliance of the Orders of this Court.*
>
> *3. It is stated that Ms. Shilpa Taneja (Complainant in CRL.M.C. 6899/2024) has been admitted in Mata Chanan Devi Hospital, Janakpuri, New Delhi.*
>
> *4. Mr. Shakil Ahmad and Ms. Shamshad are directed to be present in Court physically on 18.05.2026 at 10:30 AM to show cause as to why this Court should not recall the Order and take steps under the Contempt of Courts Act against them for wilful violation of the Orders of the Court.*
>
> *5. Similarly, Ms. Shilpa Taneja is directed to be present in Court physically on 28.05.2026 at 10:30 AM to show cause as to why this Court should not recall the Order and take steps under the Contempt of Courts Act against her for wilful violation of the Orders of the Court."*

h) When the matter came up for hearing on 18.05.2026, this Court directed both Mr. Shakil Ahmad and Ms. Shamshad to report to Medical Superintendent, Dr. Ram Manohar Lohia Hospital, New Delhi (hereinafter referred to as "*RML Hospital*"), for the purpose of performing community service for a period of 15 days between the

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date of the Order, i.e., 18.05.2026 and 01.07.2026. Similarly, on 29.05.2026, this Court also directed Ms. Shilpa Taneja to report to the Medical Superintendent, RML Hospital, for the purpose of performing community service for a period of 15 days between the date of the Order, i.e., 29.05.2026and 01.07.2026.

i) On 02.07.2026, Ms. Shamshad and Mr. Shakil came to the Court and stated that they had performed community service for 15 days at the RML Hospital, from 12.06.2026 to 27.06.2026. However, in view of the fact that there was nocommunication on this account from the Medical Superintendent, RML Hospital, this Court listed the matter for 17.07.2026, awaiting the Report from the Medical Superintendent, RML Hospitaland dispensed with the personal appearance of Ms. Shamshad and Mr. Shakil.

j) On 17.07.2026, since the Report from the Medical Superintendent, RML Hospital was awaited, this Court directed that a copy of the Order be immediately transmitted to RML Hospital, so that the Order can be complied with.

k) Thereafter, a Report dated 30.07.2026 was received from RML Hospital, which is being reproduced as under:

> "*Subject: Compliance/ non-compliance Report regarding Community Service in CRL.M.C. No. 6899/2024 and CRL.M.C. No. 6885/2024 titled Shakil Ahmad @Shakeel Vs State NCT of Delhi and Suraj Prakash Taneja Vs State NCT of Delhi and ANR and CRL M.A 14856/2026 in CRL M.C 6885/2024 titled Suraj Prakash Taneja Vs State NCT of Delhi and Shakil Ahmad @ Shakeel Vs State NCT of Delhi and ANR*
> *Sir,*

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I am directed to refer to the orders passed by the Hon'ble High Court of Delhi in CRL.M.C. No. 6899/2024 and CRL.M.C. No. 6885/2024 dated 18.05.2026, and the subsequent order in CRL.M.C. No. 6885/2024 dated 28.05.2026, and to submit the following compliance report for the kind information of the Hon'ble Court:

1. *Sh. Shakil Ahmad, the petitioner, has duly complied with the directions of the Hon'ble Court by performing community service for a period of 15 days, from 12.06.2026 to 27.06.2026, in the Department of Forensic Medicine, Dr. Ram Manohar Lohia Hospital, New Delhi. The said community service has been certified titled Shakil Ahmad @Shakeel Vs State NCT of Delhi and Suraj Prakash Taneja Vs State NCT of Delhi and ANR and a copy of his attendance is enclosed herewith at Annexure-I.*

2. *It is further to inform you that as per the information received from the Department of Forensic Medicine, Ms. Shamshad, the complainant W/o. Mr. Shakil Ahmad did not report to the Department of Forensic Medicine to perform the aforesaid community service as directed by the Competent Authority in compliance with the order of the Hon'ble Court.*

3. *Ms. Shilpa Taneja, the complainant has complied with the directions of the Hon'ble Court by performing community service for a period of 15 days, from 18.06.2026 to 01.07.2026, in the Department of Accident & Emergency, Dr. Ram Manohar Lohia Hospital, New Delhi. It is submitted that she performed two shifts on 28.06.2026 to complete the prescribed period of 15 days. The same has been certified by the Department of Accident & Emergency, and a copy*

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of her attendance is enclosed herewith at Annexure-II.

4. *As per the reports received from the concerned Departments, the community service rendered by Sh. Shakil Ahmad and Ms. Shilpa Taneja was found to be satisfactory.*"

l) The aforesaid Report clearly shows that Ms. Shamshad has not performed community service and a false statement was given by her before this Court on 02.07.2026 that she has performed the community service. This Court, *vide* Order dated 18.08.2026, issued bailable warrants against Ms. Shamshad to ensure her presence on the next date of hearing to show cause as to why proceedings under the Contempt of Courts Act be not initiated against her. The matter was listed before the Court on 13.10.2026,and the following Order was passed:

"1. On 18.08.2026 bailable warrants were issued against Ms. Shamshad to ensure her presence on the next date of hearing to show cause as to why proceedings under the Court of Contempt Act 1971 be not initiated against her.

2. Ms. Shamshad is present in Court today.

3. Heard Ms. Shamshad and her Counsel.

4. There is no explanation forthcoming from her as to why she has not complied with the Order dated 02.09.2024 and has not reported to the concerned Department for performing her community service for 15 days as directed by this Court and also as to why a false statement was given to the Court on 02.07.2026 that she has complied with the Order dated 02.09.2024.

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> *5. This Court is of the view that non-compliance of the Order dated 02.09.2024 and giving false statement in Court is a complete disobedience of the Court and Ms. Shamshad is guilty of committing contempt of court under Section 2(b) of the Contempt of Courts Act, 1971.*
>
> *6. Ms. Shamshad and her Counsel have also been heard on sentencing.*
>
> *7. List on 27.10.2026 at 10:30 AM for orders on punishment under the Contempt of Courts Act, 1971.*
>
> *8. Ms. Shamshad is directed to be physically present in the Court on the next date of hearing."*

4. Ms. Shamshad and her Counsel have been heard on the issue of contempt and the punishment to be imposed under the Contempt of Courts Act.

5. It is well settled that the purpose of contempt jurisdiction is to uphold the majesty and dignity of the Court of Law. The Apex Court in Jhareswar Prasad Paul v. Tarak Nath Ganguly,**(2002) 5 SCC 352**, has observed as under:

> *"**11. The purpose of contempt jurisdiction is to uphold the majesty and dignity of the courts of law, since the respect and authority commanded by the courts of law are the greatest guarantee to an ordinary citizen and the democratic fabric of society will suffer if respect for the judiciary is undermined.***
>
> (Emphasis Supplied)

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6. Further, the Apex Court in Ram Kishan v. Tarun Bajaj, **(2014) 16 SCC 204**, while explaining the contours of contempt jurisdiction,has observed as under:

> ***"11. The contempt jurisdiction conferred on to the law courts power to punish an offender for his wilful disobedience/contumacious conduct or obstruction to the majesty of law, for the reason that respect and authority commanded by the courts of law are the greatest guarantee to an ordinary citizen that his rights shall be protected and the entire democratic fabric of the society will crumble down if the respect of the judiciary is undermined. Undoubtedly, the contempt jurisdiction is a powerful weapon in the hands of the courts of law but that by itself operates as a string of caution and unless, thus, otherwise satisfied beyond reasonable doubt, it would neither be fair nor reasonable for the law courts to exercise jurisdiction under the Act. The proceedings are quasi-criminal in nature, and therefore, standard of proof required in these proceedings is beyond all reasonable doubt. It would rather be hazardous to impose sentence for contempt on the authorities in exercise of the contempt jurisdiction on mere probabilities.***
>
> ***12. Thus, in order to punish a contemnor, it has to be established that disobedience of the order is "wilful". The word "wilful" introduces a mental element and hence, requires looking into the mind of a person/contemnor by gauging his actions, which is an indication of one's state of mind. "Wilful" means knowingly intentional, conscious, calculated and deliberate with full knowledge of consequences flowing therefrom. It excludes casual, accidental, bona fide or unintentional acts or genuine inability. Wilful acts does not encompass involuntarily or negligent actions. The act has to be done with a "bad***

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purpose or without justifiable excuse or stubbornly, obstinately or perversely". Wilful act is to be distinguished from an act done carelessly, thoughtlessly, heedlessly or inadvertently. It does not include any act done negligently or involuntarily. The deliberate conduct of a person means that he knows what he is doing and intends to do the same. Therefore, there has to be a calculated action with evil motive on his part. Even if there is a disobedience of an order, but such disobedience is the result of some compelling circumstances under which it was not possible for the contemnor to comply with the order, the contemnor cannot be punished. "Committal or sequestration will not be ordered unless contempt involves a degree of default or misconduct."

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15. It is well-settled principle of law that if two interpretations are possible, and if the action is not contumacious, a contempt proceeding would not be maintainable. The effect and purport of the order is to be taken into consideration and the same must be read in its entirety. Therefore, the element of willingness is an indispensable requirement to bring home the charge within the meaning of the Act. [See SushilaRaje Holkar v. Anil Kak [SushilaRaje Holkar v. Anil Kak, (2008) 14 SCC 392 : (2009) 2 SCC (L&S) 497] and Three Cheers Entertainment (P) Ltd. v. CESC Ltd. [Three Cheers Entertainment (P) Ltd. v. CESC Ltd., (2008) 16 SCC 592 : AIR 2009 SC 735]] "

(Emphasis Supplied)

7. The judgment of Ram Kishan (supra) has also been further followed by the Apex Court in U. N. Bora v. Assam Roller Flour Mills Association, **(2022) 1 SCC 101**.

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8. A perusal of the aforesaid judgments shows that the purpose of the Contempt of Courts Act is to uphold the majesty of law and to punish an offender for his wilful disobedience or obstruction to the majesty of law, for the reason that respect and authority commanded by Courts are the greatest guarantee to an ordinary citizen that his rights would be protected and the fabric of the society will crumble down if the respect for the judiciary is undermined. To bring out the case of interference in the administration of justice, the Contemnors actually must know that their conduct is oriented towards interfering in the administration of justice. Without such knowledge, a person cannot be punished for criminal contempt.

9. There is no reason/explanationprovided by Ms. Shamshad as to why she did not comply with the Orders of this Court. In fact, Ms. Shamshad has given a false statement before the Court on 02.07.2026 that she has performed community service, and her lawyer also accepted the *ipse dixit* of his client in advancing the said submission before the Court. As per the learned Counsel for Ms. Shamshad, he made the said submission,believing his client to be truthful. The young Counsel is warned to be more careful in future in accepting the *ipse dixit* of his client without verifying the facts and submitting it before the Court.

10. Ms. Shamshad expresses remorse in the Court and states that she will not repeat this kind of act in future, and she has also tendered her unconditional apology to the Court.

11. In view of the fact that Ms. Shamshad has tendered her unconditional apology and that she is a young lady having minor children, this Court is of the opinion that sending her to prison would not be in the interest of the future of her children. Moreover, an unconditional apology has also been

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tendered by the learned Counsel for Ms. Shamshad.

12. In view of the above, this Court is inclined to permit Ms. Shamshad, as one last opportunity, to purge her contempt by performing 30 days' community service from 01.11.2026 to 30.11.2026 at RML Hospital. She is directed to be present in Court on 07.12.2026 along with a certificate of completion of community service issued by the Medical Superintendent, RML Hospital, clearly stating the days on which Ms. Shamshad has done the community service.

13. The Medical Superintendent, RML Hospital, is requested to issue a certificate of completion of community service to Ms. Shamshad, only after she performs the community service for a period of 30 days from 01.11.2026 to 30.11.2026 satisfactorily.

14. The contempt proceedings initiated against Ms. Shamshadshall stand closed.

15. List on 07.12.2026 to show compliance with the Order.

SUBRAMONIUM PRASAD, J

OCTOBER 27, 2026
S. Zakir