VERDICTUM.IN

HIGH COURT OF JUDICATURE AT ALLAHABAD

MATTERS UNDER ARTICLE 227 No. - 14284 of 2026

Kuldeep Batra

.....Petitioner(s)

Versus

State of U.P. and Another

.....Respondent(s)

Counsel for Petitioner(s)	:	Nitish Kumar Soni
Counsel for Respondent(s)	:	G.A.

Court No. - 55

HON'BLE VIKRAM D. CHAUHAN, J.

1. Learned counsel for the petitioner seeks adjournment.

2. List this case on 19.11.2026 as fresh.

(Vikram D. Chauhan,J.)

October 16, 2026
VMA

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HIGH COURT OF JUDICATURE AT ALLAHABAD

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Counsel for Petitioner(s)	:	Nitish Kumar Soni
Counsel for Respondent(s)	:	G.A., Prayageshwar Kumar Upadhyay, Saurabh Singh

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Court No. - 55

HON'BLE VIKRAM D. CHAUHAN, J.

1. While the Court proceedings are going on, it has been informed by Sri P.K. Singh, learned A.G.A. that one person is recording the Court proceedings from his mobile phone without permission of this Court. When the aforesaid person was called upon, he has stated that his name is Raj Kulshrestha, S/o Sanjeev Kulshrestha, R/o C9/110, Habibpura, Chetganj, Varanasi. He was asked as to why he is recording the Court proceedings without permission of this Court.

2. Mr. Raj Kulshrestha has admitted that he is recording the proceedings of the Court without permission however could not spell out the reason of such act. The mobile phone of the aforesaid person was taken into custody by the Bench Secretary of this Court. After opening of the mobile phone, it transpires that three videos of the Court proceedings have been recorded. Mr. Raj Kulshrestha states that he has recorded the Court proceedings however, could not give the purpose of such conduct.

3. Sri Raj Kulshrestha was asked as to how and why he has come to this Court, he has shown the Pass, which is only accessible to Advocates chamber. Along with Mr. Raj Kulshrestha, one another person, namely, Kuldeep Batra, whose case was listed at Serial No. 27 is also present in the Court, who was also asked as to how he is present in the Court, who has shown the pass, which is only accessible to the Advocates chamber and not to this Court. Sri Kuldeep Batra states that he is not known to Mr. Raj Kulshrestha.

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4. Sri Raj Kulshrestha could not explain as to why he is recording proceedings of the Court without permission. Such an act is not permissible. Mr. Raj Kulshrestha has disclosed that he has no case listed before this Court. The pass which Mr. Raj Kulshrestha is carrying is a pass issued by the Registry of this Court only limited to the Advocate chamber. However, he has entered in the court room without a proper pass. He has not disclosed as to why he is present in the Court when his case is not listed and the purpose of recording court proceedings without permission of the Court.

5. Sri C.P. Upadhyaya, learned Senior Counsel, who is President of the High Court Bar Association has informed the Court that some of the Advocates are engaged in recording and uploading videos of court proceedings. He submits that the same is not in consonance with the decorum of the Court. He has seriously objected to such a conduct of some of the Advocates.

6. Sri C.P. Upadhyaya, learned Senior Counsel has also informed that he has also circulated notice to the members of the Bar that in the event, any reel/photograph/video are being made in the High Court by any member of the Bar and/or is uploaded on social media, then cost of Rs.5,000/- would be imposed on the aforesaid member of the Bar. In this reference, notice dated 18.11.2026 of the President, High Court Bar Association, Allahabad is extracted hereunder:-

"**अति-महत्वपूर्ण सूचना**

एतदद्वारा समस्त सम्मानित अधिवक्ताओं को सूचित किया जाता है कि माननीय उच्च न्यायालय परिसर के अंदर, न्याय कक्षों एवं गलियारों में वीडियो/रील बनाना एवं फोटो खींचना पूर्णरूपेण वर्जित है। यदि परिसर के अंदर कोई अधिवक्ता एवं किसी अन्य व्यक्ति के द्वारा इस प्रकार के कृत्य करते हुए पकड़े जाते हैं, तो उन्हें तत्काल रू0 5,000/- अर्थदण्ड हाईकोर्ट बार एसोसिएशन इलाहाबाद के कार्यालय में जमा करना होगा और सम्बन्धित अधिवक्ता के विरूद्ध अनुशासनात्मक कार्यवाही भी अमल में लायी जायेगी और सम्बन्धित अधिवक्ता की हाईकोर्ट बार एसोसिएशन से सदस्यता भी समाप्त करने की कार्यवाही भी की जा सकती है, जिसकी सम्पूर्ण जिम्मेदारी सम्बन्धित अधिवक्ता की होगी।

अतः सभी सम्मानित अधिवक्ताओं से अपील है कि इस तरह के कृत्य न करें, जिससे इस प्रोफेशन की छवि धूमिल हो।

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(डॉ. सी.पी. उपाध्याय)

वरिष्ठ अधिवक्ता

अध्यक्ष"

7. Sri Raj Kulshrestha could not explain as to why he is present in the Court. He has only stated that Mr. Bhanu Pratap Seth, Advocate, who is junior to Mr. Nitish Kumar Soni, Advocate has brought him to the Court.

8. It is strange that such unauthorized persons are travelling up to the Court without any valid Pass. It has been informed that Mr. Nitish Kumar Soni, Advocate is out of station. Sri Bhanu Pratap Seth, Advocate was required to remain present before this Court however, he has remained absent when the matter was taken up.

9. This Court is having jurisdiction of criminal cases. Various cases pertaining to liberty of an individual, child sexual abuse matters, CBI matters, Enforcement Directorate matters, MP/MLA matters are being listed and argued. These cases have facts which are not required to be published on the social media (without the determination by Court). The Court has inherent power to regulate its own procedure and maintain order.

10. The principle of open justice means proceedings are generally open to the public to attend. However, the same does not amount to "free broadcast" by any unauthorized individual. It is not in the interest of the litigants that their personal details be broadcasted on the social media and discussed as the court proceedings are not for entertainment purpose but is a serious business affecting liberty and rights of an individual. The publishing or recording such judicial proceedings without leave of the Court may have the effect of social media trial without even the final determination in the court proceedings and may adversely affect the court proceedings or the right of litigant. There may be prejudice caused to the persons, whose cases are being listed and argued before this Court. The victims may also have to face social media stigma, if their facts or harassment is uploaded on the digital network.

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11. In view of the aforesaid, the broadcast is required to be regulated by Presiding Officer of each Court and no person has the right to record the court proceedings except with the leave of the Court.

12. Since Mr. Raj Kulshrestha has stated that he has been brought by the junior of Mr. Nitish Kumar Soni, Advocate to the Court. Neither Mr. Nitish Kumar Soni nor his junior is present in the Court to explain as to why they have brought Mr. Raj Kulshrestha for recording of the proceedings of the Court. This Court has no other option but to adjourn the matter.

13. In view of the aforesaid, put up this matter tomorrow i.e. 20.11.2026 as fresh at 10:00 a.m.

14. Mr. Raj Kulshrestha shall be taken into custody and shall be produced tomorrow i.e. 20.11.2026 at 10.00 am. Mr. Raj Kulshrestha shall be produced before the Chief Judicial Magistrate, Prayagraj and shall be medically examined before being kept in custody as directed by CJM, Prayagraj. If Mr. Raj Kulshrestha applies for bail and furnish personal bonds and two sureties to the satisfaction of the CJM concerned, the Chief Judicial Magistrate, Prayagraj shall release on bail Mr. Raj Kulshrestha with condition that Mr. Raj Kulshrestha shall appear before this Court on 20.11.2026 at 10.00 am.

15. Mr. Raj Kulshrestha shall explain as to why the Court proceedings have been recorded without leave of this Court (more particularly when he has no interest in any matter listed before this Court) and why the same may not be treated as interference in the administration of justice.

16. Sri Nitish Kumar Soni, Advocate and Sri Bhanu Pratap Seth, Advocate are also directed to remain present before this Court tomorrow and shall show cause as to why proceedings be not initiated for interference in the administration of justice.

17. Sri Manish Goyal, learned Additional Advocate General is requested to remain present tomorrow before this Court.

18. In view of the situation prevailing in the Court and concerning the

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security of the Court, the litigants shall not be permitted to enter into the court rooms along with mobile phones. If the mobile phone is found with any of the litigant in the court room, then the concerned Advocate is solely responsible for the same. It is for the Advocates to strictly instruct their clients not to bring mobile phones into the court room. In this respect, a notice shall be pasted by the Registrar General of this Court at the pass counter of the High Court.

19. The Court Officer is directed to take custody of Raj Kulshrestha for further action as directed hereinabove.

20. The mobile phone of Mr. Raj Kulshrestha shall be kept in a sealed cover by the Court Officer of this Court and shall be produced before this Court tomorrow.

21. Mr. Kuldeep Batra shall also explain on affidavit that when he was carrying the pass which is only accessible to the Advocates chamber, then why he is present in this Court without proper Court pass.

22. Registrar (Protocol) of this Court shall initiate measures ensuring that litigants who have not issued proper pass to attend the court proceedings are not permitted to enter into this Court and endorsement on the pass issued by the Registry shall be made that the mobile phones are not permitted in the court rooms by the litigants and any person (other than Advocate), who is attending the court proceedings and a report in this respect shall be submitted.

23. Registrar (Compliance) is directed to send a copy of this order to the Chief Judicial Magistrate, Prayagraj forthwith.

24. Court Officer is directed to provide a copy of this order to Mr. Raj Kulshrestha.

(Vikram D. Chauhan,J.)

November 19, 2026
Bhaskar

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HIGH COURT OF JUDICATURE AT ALLAHABAD

MATTERS UNDER ARTICLE 227 No. - 14284 of 2026

Kuldeep Batra

.....Petitioner(s)

Versus

State of U.P. and Another

.....Respondent(s)

Counsel for Petitioner(s)	:	Nitish Kumar Soni
Counsel for Respondent(s)	:	G.A., Prayageshwar Kumar Upadhyay, Saurabh Singh

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Court No. - 55

HON'BLE VIKRAM D. CHAUHAN, J.

1. In pursuance to the order dated 19.11.2026, Sri Nitish Kumar Soni, Advocate along with Sri Bhanu Pratap Seth, Advocate have appeared before this Court. Sri Raj Kulshrestha has also been brought in police custody before this Court. Sri Kuldeep Batra, who is the petitioner in the present case, is also present. Sri Nitish Kumar Soni, Advocate has stated that he was out of station yesterday and has sent Sri Bhanu Pratap Seth, Advocate to adjourn the case. In the intervening period the aforesaid incident has taken place, for which he is tendering unconditional apology and regrets the inconvenience caused to this Court.

2. On a query being made to Sri Bhanu Pratap Seth, Advocate as to why he has not appeared yesterday before this Court, he has stated that he was frightened and as such could not appeared alone. Sri Raj Kulshrestha has tendered unconditional apology and has given an undertaking to the Court that in future he will maintain decorum of the Court and will not record the court proceedings.

3. Sri Kuldeep Batra had entered Court room yesterday on the pass accessible to the Advocate Chamber. Sri Nitish Kumar Soni, Advocate has stated that error was on the part of his office in issuance of incorrect pass and he is tendering unconditional apology in this respect.

4. Considering the aforesaid aspect of the matter and the fact that counsel has admitted to the mistake treating the same as being accepted by the counsel, the Court proceedings are hereby dropped. Sri Raj Kulshrestha is

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directed to be released forthwith. However, the directions contained in the order dated 19.11.2026 restricting from carrying the mobile phones to this Court room shall continue and no litigant would be permitted to enter the Court room along with the mobile phones. The mobile phones may be kept in the office of the concerned Advocate or may be kept somewhere else. Accordingly the Court proceedings are hereby dropped.

5. The order dated 19.11.2026 of this Court shall be placed for consideration before the learned Division Bench of this Court in Public Interest Litigation (PIL) No. - 2436 of 2019 (In Re Suo Moto Relating To Security And Protection In All Court Campuses In The State of U.P. Vs. State of U.P.) for ensuring that mobile phones are not carried by the litigants before the Court.

6. The mobile phone of Sri Raj Kulshrestha shall be handed over to Sri Raj Kulshrestha after deleting the recording of the court proceedings and resetting the phone. Sri Raj Kulshrestha is hereby restrained from publishing any such video on the social media. The video in the pen drive shall be kept in a sealed cover.

7. List this case on 27.11.2026 as fresh.

(Vikram D. Chauhan,J.)

November 20, 2026
VMA