



**IN THE SUPREME COURT OF INDIA
INHERENT JURISDICTION**

SUO MOTO CONTEMPT PETITION (CIVIL) NO. 3 OF 2025

**IN RE: N. PEDDI RAJU AND OTHERS
.... ALLEGED CONTEMNORS**

J U D G M E N T

B.R. GAVAI, CJI.

1. When the Transfer Petition (Criminal) No. 613 of 2025 was listed before us, upon perusal of the pleadings, we noticed that scurrilous and scandalous allegations had been made against a sitting Judge of the High Court of Telangana.

2. When we expressed our displeasure with the language used in the said petition, the learned counsel for the petitioner sought liberty to withdraw the transfer petition. However, *vide* our order dated 29.07.2025, we refused to permit the petitioner to withdraw the said petition.

3. Though, we dismissed the petition *vide* our order dated 29.07.2025, we observed that we cannot permit the petitioner and

the lawyers connected with the transfer petition to go scot-free. We had, therefore, issued notice to Mr. N. Peddi Raju, the petitioner¹, Mr. Ritesh Patil, learned Advocate on Record for the petitioner² and Mr. Nitin Meshram, learned Counsel who has drawn the transfer petition³, to show cause as to why an action for committing Contempt of the Court should not be initiated against them. The notice was made returnable on 11.08.2025.

4. When the matter was listed on 11.08.2025, we had heard Mr. Varun Thakur, learned counsel for the alleged contemnor no.1, Mr. S. Nagamuthu, learned senior counsel for the alleged contemnor no.2 and Mr. Sanjay R. Hegde, learned senior counsel for the alleged contemnor no.3.

5. On the said date, an affidavit of apology was tendered before this Court. We were, however, of the considered view that since the scandalous allegations were made against the learned Judge of the High Court, it would be more appropriate for the alleged contemnors to tender an apology first to the learned Judge.

¹ **Hereinafter referred to as, “alleged contemnor no.1”.**

² **Hereinafter referred to as, “alleged contemnor no.2”.**

³ **Hereinafter referred to as, “alleged contemnor no.3”.**

At that stage, the learned senior counsel/counsel appearing for the alleged contemnors sought liberty from this Court to approach the High Court to tender their unconditional apology.

6. We, therefore, permitted the alleged contemnors to tender their unconditional apology before the learned Judge of the High Court.

7. Since the Criminal Petition No. 4162 of 2020 was already disposed of, we had directed the Registrar General of the High Court to reopen the matter. We, however, clarified that the matter will be reopened only for the limited purpose of tendering an unconditional apology by the alleged contemnors before the learned Judge of the High Court, who had passed the final order in the said criminal petition.

8. Accordingly, the matter was reopened before the High Court, and the learned Single Judge of the High Court has passed an order dated 22.08.2025.

9. In her order dated 22.08.2025, the learned Judge has observed thus:

“11. A trend of vilifying Judges has emerged in recent times. Disgruntled lawyers and litigants often demand release, recusal and transfer of matters on

the pretext of oblique motives attributed to the Judge. Such reckless allegations derail the course of justice by creating an environment of intimidation which is not conducive to the effective administration of justice. Personal attacks on Judges breach the safety-net of impartial decision-making and is antithetical to independent Judges. Targetting of Judges makes for Skeptical and unsure Judges.

12. The attackers also forget that while - casting and circulating - aspersions in print or on social media can be done by the flick of a key, the concerned Judge does not have a platform to present his/her side of the story. One-sided mud-slinging, more often than not, swings right back to besmirch the attacker. The 'Majesty' of a Court is an inalienable part of the respect associated with upholding of the Rule of Law. Attacks on Judges irrevocably dent the dignity of Courts as impartial arbiters of justice and affects public trust and confidence in the judiciary. Advocates, as equal participants in the quest for justice, have a greater responsibility in ensuring that the Court is not brought to disrepute.

13. As an end-note, Judgeship is never about the power of the Chair but is always about the responsibility of disseminating justice with conscience, commitment and compassion. The common man should repose full faith and confidence on the Courts. Fortunately, notwithstanding the occasional stresses and strains, Courts continue to be the proud flag-bearers of justice.

14. I accept the apology tendered by the three alleged Contemnors. Let the matter be placed before the Hon'ble Supreme Court, as directed in the judgment dated 11.08.2025."

10. It can thus be seen that the learned Judge has shown the magnanimity of accepting the apology tendered by the alleged

contemnors.

11. In the recent past, we have noticed a growing trend of lawyers making scurrilous and scandalous allegations against the Judge(s), in the pleadings, when they do not get favourable orders. Such a practice has to be strongly deprecated.

12. As early as in 1954, the Constitution Bench of this Court in the case of ***M.Y. Shareef and Another vs. Hon'ble Judges of the High Court of Nagpur and Others***⁴ has observed thus:

“13. The fact however remains, as found by the High Court, that there was at the time these events happened considerable misconception amongst a section of the Nagpur Bar about advocates' responsibilities in matters of signing transfer applications containing allegations of this character. It cannot be denied that a section of the Bar is under an erroneous impression that when a counsel is acting in the interests of his client, or in accordance with his instructions he is discharging his legitimate duty to his client even when he signs an application or a pleading which contains matter scandalizing the Court. They think that when there is conflict between their obligations to the Court and their duty to the client, the latter prevails. This misconception has to be rooted out by a clear and emphatic pronouncement, and we think it should be widely made known that counsel who sign applications or pleadings containing matter scandalizing the Court without reasonably satisfying themselves about the *prima facie* existence of adequate grounds there for,

⁴(1954) 2 SCC 444

with a view to prevent or delay the course of justice, are themselves guilty of contempt of Court, and that it is no duty of a counsel to his client to take any interest in such applications; on the other hand, his duty is to advise his client for refraining from making allegations of this nature in such applications. Once the fact is recognized as was done by the High Court here, that the members of the Bar have not fully realized the implications of their signing such applications and are firmly under the belief that their conduct in doing so is in accordance with professional ethics, it has to be held that the act of the two appellants in this case was done under a mistaken view of their rights and duties, and in such cases even a qualified apology may well be considered by a Court. In borderline cases where a question of principle about the rights of counsel and their duties has to be settled, an alternative plea of apology merits consideration; for it is possible for a judge who hears the case to hold that there is no contempt in which case a defence of unqualified apology is meaningless, because that would amount to the admission of the commission of an offence.”

13. It cannot be disputed that lawyers, as officers of the Court, possess a duty to the Court.

14. A reference in this respect can be made to the following observations made by this Court ***In the matter of T.V. Choudhary, A Member of the Indian Administrative Service (Under Suspension)***⁵, where the classic case of ***Rondel vs.***

⁵ (1987) 3 SCC 258.

Worsley⁶ was referred to:

“9. We wish we could have rested content with concluding the judgment with the operative portion of our conclusions on the merits of the case but we find with a sense of anguish and heaviness of heart that we have to express our disapproval of the manner in which the arguments were advanced before us on behalf of the applicant T.V. Choudhary. Not only were the arguments advanced with undue vehemence and unwarranted passion, reflecting identification of interests beyond established conventions but were of degrees not usual of enlightened senior counsel to adopt. The majesty of law and the dignity of courts cannot be maintained unless there is mutual respect between the Bench and the Bar and the counsel act in full realisation of their duty to the court alongside their duty to their clients and have the grace to reconcile themselves when their pleas and arguments do not find acceptance with the court. It is needless for us to say that neither rhetoric nor tempestuous arguments can constitute the sine qua non for persuasive arguments.

10. By virtue of the pre-eminence which senior counsel enjoy in the profession, they not only carry greater responsibilities but they also act as a model to the junior members of the profession. A senior counsel more or less occupies a position akin to a Queen's counsel in England next after the Attorney General and the Solicitor General. It is an honour and privilege conferred on advocates of standing and experience by the Chief Justice and the Judges of this Court. They thus become leading counsel and take precedence on all counsel not having that rank. A senior counsel though he cannot draw up pleadings of the party, can nevertheless be engaged “to settle”

⁶ (1967) 3 All ER 993, 998

i.e. to put the pleadings into “proper and satisfactory form” and hence a senior counsel settling pleadings has a more onerous responsibility as otherwise the blame for improper pleadings will be laid at his doors.

11. Lord Reid in *Rondel v. Worsley* [(1967) 3 All ER 993, 998] has succinctly set out the conflicting nature of the duties a counsel has to perform in his own inimitable manner as follows:

“Every counsel has a duty to his client fearlessly to raise every issue, advance every argument, and ask every question, however distasteful, which he thinks will help his client's case. As an officer of the court concerned in the administration of justice, he has an overriding duty to the court, to the standards of his profession, and to the public, which may and often does lead to a conflict with his client's wishes or with what the client thinks are his personal interests. Counsel must not mislead the court, he must not lend himself to casting aspersions on the other party or witnesses for which there is no sufficient basis in the information in his possession, he must not withhold authorities or documents which may tell against his clients but which the law or the standards of his profession require him to produce. By so acting he may well incur the displeasure or worse of his client so that if the case is lost, his client would or might seek legal redress if that were open to him.”

12. Again as Lord Denning, M.R. in *Rondel v. W* [(1966) 3 All ER 657, 665] would say:

“He (the counsel) has time and again to choose between his duty to his client and his duty to the court. This is a conflict often

difficult to resolve; and he should not be under pressure to decide it wrongly.... [W]hen a barrister (or an advocate) puts his first duty to the court, he has nothing to fear. (words in brackets added).”

In the words of Lord Denning:

“It is a mistake to suppose that he is the mouthpiece of his client to say what he wants:...He must disregard the most specific instructions of his client, if they conflict with his duty to the court. The code which requires a barrister to do all this is not a code of law. It is a code of honour. If he breaks it, he is offending against the rules of the profession and is subject to its discipline....”

13. We are constrained to give expression to our views with a feeling of remorse to remind the counsel of that sense of detachment and non-identification they are expected to maintain with the causes espoused by them and not with a view to belittle the profession or cast aspersions on counsel.”

15. The lawyers before subscribing their autographs to a pleading making scurrilous and scandalous allegations against a Judge ought to think about the serious repercussions of the same.

16. Be that as it may, recently in the case of ***N. Eswaranathan v. State represented by the Deputy Superintendent of Police***⁷, by an order dated 23rd July 2025, a three Judge Bench of this

⁷ **Miscellaneous Application No. 1264 of 2025 in SLP (Crl.) No. 6029 of 2025**

Court, to which two of us (The Chief Justice of India and Mr. Justice K.V. Chandran) were a party, decided a reference with regard to the difference of opinion between two learned Judges of this Court over the issue of the sentence to be imposed on two lawyers of this Court. In the said order, we observed that the majesty of law lies not in punishing someone, but in forgiving someone who acknowledges their mistake. We, therefore, agreed with the view taken by the learned Judge of this Court who had accepted the unconditional apology made by the lawyers therein.

17. Since the learned Judge of the High Court against whom scandalous and scurrilous allegations were made, has accepted the unconditional apology tendered by the alleged contemnors, we are also inclined to accept the unconditional apology tendered by them. However, we put a note of caution that the lawyers who are expected to act as officers of Court, should be careful while subscribing their signatures on the pleadings which are in the nature of making scandalous and scurrilous allegations against the Judges of the Court.

18. With the aforesaid observations, the apology tendered by the alleged contemnors is accepted.

19. The Contempt Proceedings are closed.

.....CJI
(B.R. GAVAI)

.....J.
(K. VINOD CHANDRAN)

**NEW DELHI;
NOVEMBER 10, 2025.**