

IN THE SUPREME COURT OF INDIA

CONTEMPT PETITION (CRL.) NO. OF 2019

In

WRIT PETITION (C) NO. 54 OF 2019

Union of India
Through
The Secretary
Department of Personnel & Training
Ministry of Public Grievances & Pensions
New Delhi

...Petitioner

Versus

Shri Prashant Bhushan
B-16, Sector 14
NOIDA, Uttar Pradesh

Also at:

C-67, Sector 14
NOIDA, Uttar Pradesh
201301

Also at:

Chamber No. 301
New Lawyers Chambers
Supreme Court of India
New Delhi – 110001

... Respondent/Alleged Contemnor

**PETITION UNDER ARTICLE 129 OF THE CONSTITUTION OF INDIA
READ WITH SECTION 15 OF THE CONTEMPT OF COURTS ACT, 1971.**

1. This petition is being filed on behalf of the Union of India, for punishing the Respondent for committing contempt of this Hon'ble Court. The Ld. Attorney General for India has himself filed a contempt petition against the respondent herein in regard to the same matter, and the petitioner prays that the contents thereof may be read as an integral part of this petition as well. The said contents are not being repeated for the sake of brevity, and are adopted in their entirety.
2. As explained in detail in the petition filed by the Ld. Attorney General for India, the respondent is guilty of committing contempt of this Hon'ble Court, by deliberately and willfully making false statements on a public platform with regard to a matter which is *sub judice*. The statements are intended and

calculated to obstruct justice, and interfere with the course of a pending judicial proceeding. Such an act by a counsel, of making false and irresponsible allegations on a public platform, rather than raising his grievances, if any, before this Hon'ble Court, is grossly contumacious and warrants punishment by this Hon'ble Court. What makes matters worse is that the contumacious acts pertain to a petition filed by the respondent herein ostensibly in public interest, which now appears to be a mere attempt at gaining publicity. If such conduct is permitted to occur, the very faith of the people in the system of administration of justice would be shaken.

3. Since the Attorney General for India has already filed a contempt petition in regard to the same matter, which is adopted by the present petitioner as well, no question of seeking the consent of the Attorney General for India for the filing of the present petition would arise and the present petition would be maintainable. In any event, this is a fit case, and the petitioner would pray, for this Hon'ble Court to take *suo motu* cognizance of the contumacious acts of the respondent and award appropriate punishment.

In view of the facts stated and averments made hereinabove, it is respectfully prayed that this Hon'ble Court may be pleased to:

- (i) Issue notice of contempt to the Respondent herein, hear him on the allegations made in this petition and convict him of committing contempt of this Hon'ble Court. Appropriate punishment, as deemed appropriate by this Hon'ble Court in the facts of the case, may be awarded to the respondent.
- (ii) Pass any other and/or further orders as this Hon'ble Court may deem appropriate in the facts of the present case.

Petitioner/Union of India

 Through

(Advocate for the petitioner)

(Arvind Kumar Sharma)

C.C. 1133

IN THE SUPREME COURT OF INDIA

CRIMINAL ORIGINAL JURISDICTION

CONTEMPT PETITION (CRIMINAL) NO. OF 2019

IN

WRIT PETITION (C) NO. 54/2019

Union of India

...Petitioner

Versus

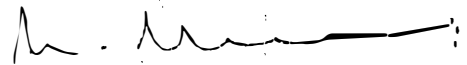
Shri Prashant Bhushan

... Respondent/Alleged Contemnor

AFFIDAVIT

I, C. CHANDRAMOU, age about 58 years, currently the Secretary, Department of Personnel and Training, Government of India, do solemnly affirm and declare as under:

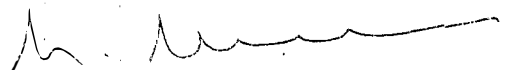
1. I say that I am the Secretary, Department of Personnel and Training, Government of India, and as such I am fully conversant with the facts, proceedings and circumstances of the case and hence competent and authorized to swear this affidavit.
2. I say that I have read the contents of the accompanying contempt petition and state that the facts stated therein are true to my knowledge.
3. I say that the annexures to the contempt petition are true copies of the respective originals.



DEPONENT

VERIFICATION

I, the deponent abovenamed, do hereby verify and state that the contents of the above affidavit are true and correct to the best of my knowledge, no part of it is false and that nothing material has been concealed therefrom.



DEPONENT