

Court on its own motion vs. Dhairya Sushant and another

Criminal Contempt Petition No.1 of 2025

03.03.2025 Present: Mr. Anup Rattan, Advocate General with Mr.I.N.Mehta, Sr. Additional Advocate General, Mr. Navlesh Verma, Ms. Sharmila Patial, Additional Advocates General and Mr. Raj Negi, Deputy Advocate General, for the petitioner.

Respondent No.1 has uploaded a video on his facebook account and the Hindi and English transcriptions of his monologue contained in the video as also pen drive containing the same have been appended by the concerned Registrar with the paper book.

2. From the perusal of the documents, we find that respondent No.1 has made serious allegations not only against the institution of judiciary, but has also unnecessarily targeted one of the learned judges of this court.

3. Not only that, serious allegations regarding involvement of not only the Judge but also access to the Judge(s) has been highlighted in the monologue of respondent No.1 and this is clearly evident from the following contents:

“.....This is the height of the degradation of the judicial system. A short while ago, I drew the attention of the presiding judge to the fact that the police have mentioned in the status report that a person named Inder Singh, a resident of Dasoli, is a thief, and the stolen machine has been recovered

from his place. I asked the Judge to read it carefully..... I wrote... I explained it to the Judge Sahab orally and submitted it, but he did not take my statement on record. Take a look at this- I told the judge to read this line carefully. It is clearly written here, and the police have written it, not me, that the search of Baldev Singh's house, in the presence of the accused was carried out as per procedure and during the course of investigation, a machine and a pit-digging machine were found in the stubble store of Baldev Singh's house and the same were recovered. It is also mentioned that the machines have been identified. It is further mentioned that the person who has been arrested has previous criminal history and he has been involved in theft cases before. As you can see, it is clearly written here that theft cases have been registered against him. Furthermore, I told the Judge that he has admitted it. He has confessed in his own statement, Sahab, that we were all involved. We were part of a group, and we committed the theft. We entered the house, and he is naming the person responsible..... He has stated that we entered Rajan Sushant's house, and as for who the intruder was, he is writing that only Inder went inside the house. He is also stating that Inder gave him 500 rupees, and this is how the theft was committed. Today, I want to ask, where is the judicial system? Despite having been shown all this, what does the Hon'ble High Court Judge, Shri Ranjan Sharma, say? let me tell you. He tells the police....He is guiding the lawyer of the other side. There is a Judge's son, who is an advocate here, and he tells him to file objections, saying he will list the matter later. But when I filed objections yesterday, he says, 'Why didn't you raise objections

earlier? I will cancel them. I told him, 'Judge Sahab, the criminals you are releasing are involved in Chitta smuggling, and they are drug addicts. I am telling you their history- they have committed crimes not just at one place, but at many places. They committed robbery in our house, and I am also saying that they had weapons. The police have written everything clearly, yet despite this, Judge Sahab is not rejecting the bail, even after I have mentioned that stolen goods have been recovered from them. Which court in the country would release a person even after being told that the stolen goods have been recovered {from that person}? This is being done intentionally, just because there is a network in place. We all need to understand that this is a network of drug dealers, lawyers, and they have access to the Judges. The sons of sitting judges appear for these drug deals, for these hooligans. And justice is being given on the basis of face value and favouritism. Sir, what should I tell you? I told him that if released, they will sell all the stolen goods, it is in their possession and they would tamper with the evidence, yet they were released deliberately. You call this the temple of justice? We, the lawyers, know the truth. Lakhs of lawyers like me know how we fight for justice, but look at the situation today. This is the height of hooliganism. Our house in Dehri is attacked with deadly weapons, a theft takes place, and despite that, even after 3-4 months, no action has been taken. The goons roam around openly, looking straight into the eye, and proclaim, "Dhairya Sushant, we have secured bail from the same High Court where you practice. What could you do"? And here, there is the connivance of the judge. I am directly alleging this. There is a need for judicial reforms in our country, and for that, I will go to any

extent if necessary. We are not afraid of anyone. I told Judge Sahab, and at that time, my father was also with me- he is an honest man friends, I am telling the entire state through this video- you can make 100 allegations against us, say anything you want, but no one can accuse us of even 1 rupee of corruption. No one can say that Rajan Sushant Ji has ever been a thief or dishonest man. No one can question our honesty. Today, I am deeply saddened by this, and tomorrow, we will hold a press conference on the matter. I will personally submit a complaint to the Honorable Supreme Court regarding the conduct of the judge and such indecency; secondly, I want to ask, why are the proceedings of the Himachal Pradesh High Court not being live streamed? The Supreme Court is live, and many of our High Court are live. The Supreme Court has said that proceedings should be live streamed so that whatever anyone says, everyone can hear it in real-time. They intentionally do not record it, and our High Court is not going live on purpose because their intentions are dishonest.

.....These gangs have political protection, and they also have police protection and standing here today on the premises of the High Court, I speak with a deep sense of responsibility, that these individuals are also protected by some judicial officers in Himachal Pradesh, something that is undeniably clear. This is an urgent and serious matter, which we will take to the Supreme Court and also to the people."

4. The transcription of monologue of respondent No.1 is contemptuous and prima facie attracts the provisions

of Section 15 of the Contempt of Courts Act, 1971 (in short “the Act”).

5. Similarly, monologue of respondent No.2 prima-facie also attracts provisions of Section 15 of the Act, more particularly, the following contents:

“I want to say today that we also went to the High Court, where we presented the facts before the judge, submitted the status report, and filed a case with all the records in the file. Despite this, the kind of behaviour I witnessed of the Honorable Judge is heartbreaking. I’m sorry to say, the soul of justice is dead. These judges, too, are complicit, giving opportunities to the burglars and dacoits.”

6. Accordingly, let show cause notice(s) under Section 15 of the Act be issued against the respondents in form-A of the Contempts of Courts Rules, 1996 why they should not be prosecuted and punished for having deliberately and willfully committed the criminal contempt, returnable for 07.04.2025.

7. The Registry is directed to supply a complete copy of the paper book to the learned Advocate General and is further directed to reflect his name henceforth in the cause list.

(Tarlok Singh Chauhan)
Judge

(Sushil Kukreja)
Judge

March 03, 2025
(yogesh/pankaj)