

SUPREME COURT OF INDIA

Dhiraj Kulshreshta

Vs.

Rajasthan High Court

CrI.A.No.359 of 1994

(G.B.Pattanaik and K.T.Thomas JJ.)

06.05.1999

ORDER

1. The appellant has been convicted under the provisions of the Contempt of Courts Act, 1971 in a suo motu proceedings initiated by the Rajasthan High Court for having published an article "Aadaalat Katghare Main" in a monthly magazine Maya.
2. The High Court under the judgment in appeal having held the appellant guilty of contempt of court has sentenced him to imprisonment for a month and a fine of Rs. 1000. Though the appellant had offered an apology in the course of the proceedings before the High Court, the High Court did not accept the same on a finding that the apology was conditional, the article published, no doubt, is grossly contemptuous.
3. When the appeal was heard today, the learned Counsel appearing for the appellant, instead of arguing the matter, gave a written unconditional apology in the form of an affidavit of the appellant and the appellant being present in court also offers his apology. The article in question was published in the year 1982. The appellant himself has already undergone sentence for a period of three days while the appeal was pending in this Court. Taking all these factors into consideration, we accept the unconditional apology offered by the appellant through his counsel as well as the appellant himself being present in court and dispose of this appeal in the above terms.