

**SUPREME COURT OF INDIA**

State of M.P. Through District Judge

Vs.

Shivmohan Singh

(K.T. Thomas and R.P. Sethi JJ.)

31.08.2000

**ORDER**

1. In all these appeals, a litigant and his advocate were dealt with under the provisions of the Contempt of Courts Act for making scurrilous allegations against some judicial personage repeatedly and at different stages. In one such case (miscellaneous criminal case No. 2733/91) the High Court imposed a sentence of imprisonment for four months on the first respondent litigant and a fine of Rs. 1,000/-. A sentence was imposed on the advocate who is second respondent herein, to undergo imprisonment for a period of 3 months and to pay a fine of Rs. 1,000/-. We are told by both sides that both the respondents had undergone the sentence of imprisonment and remitted the fine. In regard to the other contempt proceedings, the respondents tendered unconditional apology and that was accepted on 8.3.95 and they were exonerated from the sentence in those cases. These appeals have been filed in challenge of the said order, dated 8.3.95.

2. We are told that the respondents have committed all the contempt activities only prior to the conviction and sentence imposed on them in miscellaneous criminal case No. 2733/91. If so, it is immaterial that the apology tendered by them was not accepted and the same sentence was imposed on them in those cases also because the High Court would only have directed all the sentences to run concurrently. For the aforesaid reason, it is not necessary to consider the question whether the unconditional apology should at all have been accepted by the High Court, particularly at this distance of time. This is more so because the respondent-advocate who was convicted and sentenced in one case cannot practise in the courts in respect of which he committed contempt until he purges himself. We do not want to be vindictive and therefore, we do not think it worthwhile to take any further action against the respondents.

3. Appeals are accordingly disposed of.