

IN THE SUPREME COURT OF INDIA
INHERENT JURISDICTION

CONTEMPT PETITION NO. _____ OF 2024
[Diary No(s). 1106/2024]
IN
SLP(CrI.) No. 14489/2023

TUSHARBHAI RAJNIKANTBHAI SHAH Petitioner(s)

VERSUS

KAMAL DAYANI & ORS. Respondent(s)

O R D E R

1. Vide judgment dated 07th August, 2024, we had held Shri R. Y. Raval, Police Inspector, Vesu Police Station, Surat (Contemnor-respondent No.4) and Smt. Deepaben Sanjaykumar Thakar, 6th Additional Chief Judicial Magistrate, Surat (Contemnor-respondent No.7) guilty of having committed contempt of order of this Court dated 08th December, 2023.

2. We have heard Shri Tushar Mehta, learned Solicitor General appearing for the State of Gujarat.

3. Shri R.Y. Raval, Police Inspector, Vesu Police Station, Surat (Contemnor-respondent No.4)

is personally present in the Court and is being represented by Shri K. Parameshwar, learned senior counsel. Similarly. Smt. Deepaben Sanjaykumar Thakar, 6th Additional Chief Judicial Magistrate, Surat (Contemnor-respondent No.7) is also personally present in the Court and is being represented by Dr. Manish Singhvi, learned senior counsel.

4. Both the contemnors have filed their affidavits thereby tendering their unconditional apology.

5. Though arguments were heard at length, we do not propose to go into them in view of order that we propose to pass.

6. Insofar as Smt. Deepaben Sanjaykumar Thakar, 6th Additional Chief Judicial Magistrate, Surat (Contemnor-respondent No.7) is concerned, we have already taken into consideration the erroneous practice prevalent in the State of Gujarat of permitting the remand application to be filed even after the grant of anticipatory bail, we also take into consideration her unblemished service record.

7. We are, therefore, inclined to take a lenient

view and accept her unconditional apology.

8. Insofar as Shri R.Y. Raval, Police Inspector, Vesu Police Station, Surat (Contemnor-respondent No.4) is concerned, we sentence him to pay fine in the sum of Rs.25,000/-, to be deposited in the Supreme Court Advocates-on-Record Association to be used for the purpose of Library within a period of one month from today.

9. The last sentence in paragraph 59.4 of the judgment dated 7th August, 2024 which begins with 'The contemnor' and ending with 'end' shall stand deleted.

10. The contempt petition is, accordingly, disposed of.

11. Pending application(s), if any, stand(s) disposed of.

.....J
(B.R. GAVAI)

.....J
(SANDEEP MEHTA)

New Delhi
September 02, 2024

ITEM NO.301

COURT NO.3

SECTION II-B

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

CONTEMPT PETITION (CIVIL) Diary No(s). 1106/2024

(Arising out of impugned final judgment and order dated 08-12-2023
in SLP(Crl) No. 14489/2023 passed by the Supreme Court of India)

TUSHARBHAI RAJNIKANTBHAI SHAH

Petitioner(s)

VERSUS

KAMAL DAYANI & ORS.

Respondent(s)

Date : 02-09-2024 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE B.R. GAVAI
HON'BLE MR. JUSTICE SANDEEP MEHTA

For Petitioner(s)

Mr. Iqbal Syed, Sr. Adv.
Mr. Mohammad Aslam, AOR
Mr. Dipesh Dalal, Adv.
Mr. Aniq Kadri, Adv.
Mr. Amaan Syed, Adv.
Mr. Vishrut Bhandari, Adv.
Mr. Prithu Parimal, Adv.

For Respondent(s)

Mr. Tushar Mehta, S.G.
Ms. Archana Pathak Dave, Sr. Adv.
Ms. Swati Ghildiyal, AOR
Ms. Devyani Bhatt, Adv.
Ms. Neha Singh, Adv.
Ms. Sneha Menon, Adv.

Mr. K. Parmeshwar, Sr. Adv.
Ms. Srishti Mishra, Adv.
Ms. Kanti, Adv.
Mr. R. C. Kohli, AOR

Ms. Ruchi Kohli, AOR
Mr. Kushagra Pandey , AOR

Mr. Manish Singhvi, Sr. Adv.
Mr. Asim Pandya, Sr. Adv.
Mr. Shushil Shukla, Adv.

Ms. Prerna Gupta, Adv.
Mr. Rajesh Pal, Adv.
Mr. Praween Gupta, Adv.
Mr. Shubham Gupta, AOR

UPON hearing the counsel the Court made the following
O R D E R

1. The contempt petition is disposed of in terms of the signed order.
2. Pending application(s), if any, stand(s) disposed of.

(DEEPAK SINGH)
ASTT. REGISTRAR-cum-PS

(ANJU KAPOOR)
COURT MASTER (NSH)

[Signed order is placed on the file]

