

A CRITICAL ANALYSIS OF ISSUES AND CHALLENGES IN FREEDOM OF SPEECH AND EXPRESSION VIS-A-VIS CONTEMPT OF COURT IN INDIA

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ABSTRACT

Although words break no bones yet freedom of speech needs regulation because unrestricted freedom of speech can have far reaching destructive and negative consequences. But the question is to what extent, one can exercise his freedom of speech especially when the speech right is exercised against the judiciary? Human power not only vests in his speech but also in its expression through which he has the potential to even bring a revolution; for good or for bad. Law therefore imposes restrictions on speech but only reasonable restrictions have given the sword to the judiciary for its protection and maintenance of dignity. But then why criminal contempt cases are mounting day by day? Is the law inadequate? Whether the restrictions which were considered reasonable earlier have become unreasonable in contemporary times? There are many unanswered questions that need to be delved upon and find out the solution failing which chaos will gradually lead to darkness.

The paper is an attempt to study the legislative and judicial perspective towards the contempt law and analyse the imbalance between criticism and contempt power of court through the prism of freedom of speech and how the imbalance can be mitigated in an amicable and harmonious manner.

KEYWORDS: Constitution, Contempt, Freedom, Judiciary, Speech

1. INTRODUCTION

The vigour of words is implicit in the fact that they have the dominance to impact others. The impact can either be positive or negative. Words are the medium to convey and exchange ideas and can also result in multiple interpretations. Although words per se, physically do not break bones, yet they have the ability to give rise to a revolution; for good or for bad. Therefore, liberty of speech under the Constitutional law of the country, imposes restrictions because unhindered freedom to speak and express can have far reaching destructive and negative repercussions. The Constitution of India boasts of liberty to speak and express u/Article 19(1) (a) subject to certain reasonable restrictions. Supplement to it, the Contempt of Courts Act, 1971 confers power on the superior judiciary to provide punishment for their contempt. This power bypasses the notion of natural justice and accredits the judicature to functions as judges in their own causes in regard to their contempt matters are concerned. However, the question is to what extent, one can perform his freedom of speech especially when the speech right is exercised against the judiciary? Only reasonable restrictions on speech and expression have provided the competency to the judiciary for safeguarding and maintaining its dignity and esteem. But then why criminal contempt cases are mounting day by day? Is the law inadequate? Whether the restrictions which were considered reasonable earlier have become unreasonable in the

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contemporary times? There are still quite a many unanswered questions that necessitate to be delved upon and solutions are therefore to be formulated failing which chaos will gradually lead to darkness. Dissent being integral to democracy cannot be disregarded in contempt cases merely because the court has been given wider powers to deal with in contempt matters. A balance between the contempt robustness and freedom of speech is the demand of the day.

1.1 OBJECTIVES OF STUDY

The vigour of words is implicit in the fact that they have the dominance to impact others. The impact can either be positive or negative. Words are the medium to convey and exchange ideas and can also result in multiple interpretations. Although words per se, physically do not break bones, yet they have the ability to give rise to a revolution; for good or for bad. Therefore, liberty of speech under the Constitutional law of the country, imposes restrictions because unhindered freedom to speak and express can have far reaching destructive and negative repercussions. The Constitution of India boasts of liberty to speak and express u/Article 19(1) (a) subject to certain reasonable restrictions. Supplement to it, the Contempt of Courts Act, 1971 confers power on the superior judiciary to provide punishment for their contempt. This power bypasses the notion of natural justice and accredits the judicature to functions as judges in their own causes in regard to their contempt matters are concerned. However, the question is to what extent, one can perform his freedom of speech especially when the speech right is exercised against the judiciary? Only reasonable restrictions on speech and expression have provided the competency to the judiciary for safeguarding and maintaining its dignity and esteem. But then why criminal contempt cases are mounting day by day?¹ Is the law inadequate? Whether the restrictions which were considered reasonable earlier have become unreasonable in the contemporary times? There are still quite a many unanswered questions that necessitate to be delved upon and solutions are therefore to be formulated failing which chaos will gradually lead to darkness. Dissent being integral to democracy cannot be disregarded in contempt cases merely because the court has been given wider powers to deal with in contempt matters. A balance between the contempt robustness and freedom of speech is the demand of the day.

¹ As per the “Indian Judiciary” Annual Report 2018 published by Supreme Court of India, a total number of 568 criminal contempt cases and 96310 civil contempt cases were found pending in the High Courts from July 1, 2016 to June 30, 2017. As of April 10, 2018, a total number of 683 civil contempt cases and 15 criminal contempt cases have been shown as pending before the SC.

As per the “Indian Judiciary” Annual Report 2021 published by Supreme Court of India, from July 01, 2020 to June 30, 2021, 150537 cases of civil contempt and 705 cases of criminal contempt were pending in various High Courts. This reflects a sharp rise in contempt cases. (Mar. 12, 2024, 11:00 AM) [https://main.sci.gov.in/pdf /AnnualReports/12012022_114003.pdf](https://main.sci.gov.in/pdf/AnnualReports/12012022_114003.pdf).

The present paper is an effort to study the legislative and judicial perspective towards the contempt law and examine the imbalance between criticism and power of contempt of court through the prism of liberty to speak and how the imbalance can be mitigated in an amicable and harmonious manner.

2. RESEARCH METHODOLOGY

The methodology of this work is primarily doctrinal having descriptive and analytical approaches. The requisite particulars have been obtained from judicial precedents, Statutes, Reports, Newspapers, Magazines and Internet. The collected data has been critically analysed through the prism of the judgments and Contempt of Courts Act vis-a-vis the constitutional provisions.

3. CONSTITUTIONAL PROVISIONS ON CONTEMPT OF COURT:

The Indian Constitution affords the judiciary exceptional protection regarding limitations on the dispensation to express freely. A primary legitimate limitation on the liberty to free speech is contempt of the court. The Indian Constitution's Article 19(1) (a) guarantees everyone, right to free speech and expression. However the contempt clause restrict the ability of the citizen to criticise the mechanism of the court. Furthermore, Articles 129 and 215² give the SC and HCs the authority to penalise for the contempt of court. In addition, Article 142 gives the court the authority to penalise contempt, subject to any additional laws enacted by the parliament on the matter.

4. STATUTORY PROVISIONS

4.1 THE CONTEMPT OF COURTS ACT, 1971:

This law provides the court with statutory assistance to retain the esteem of the judiciary. The primary function of this Act is to guard the court from acts that may shrink its vigour, vandalise its esteem, or cause the citizens to lose faith in its impartiality. The disparagement is that the judiciary's ability to convict for its own contempt is arbitrary and does not acknowledge the philosophy of natural justice. The judiciary has wider authority to capriciously silence its criticism. High Courts have the authority to convict for contempt of subordinate courts³. Even in cases of criminal contempt of a lower court, the High Court shall begin contempt proceedings upon a reference made to it by the subordinate court or on a motion presented by the Advocate-General⁴.

² The Constitution of India.

³ Section 10.

⁴ Section 15(2).

4.2 THE CODE OF CRIMINAL PROCEDURE, 1973

In contempt of courts proceedings under the Contempt of Courts Act 1971, the provisions of the Cr PC will have no application⁵.

4.3 RULES TO REGULATE PROCEEDINGS FOR CONTEMPT OF THE SUPREME COURT, 1975

Formulation of these rules is in compliance with the power u/Section 23 of the Contempt of Courts Act r/w Article 145 to punish for contempt of its own self.

5. KINDS OF CONTEMPT OF COURT

Contempt of Courts is divided into civil and criminal⁶. Civil contempt reflects wilful disobedience to any judgment of a court in addition to deliberate breach of an undertaking submitted to a court.⁷ Criminal contempt is the publication of any matter that scandalises or lowers the authority of any court or interferes with the due course of any judicial proceeding or obstructs the administration of justice in any other manner⁸.

6. DEFENCES AVAILABLE

6.1 INNOCENT PUBLICATION- SECTION 3

Section 3 empowers that a person cannot be punished for contempt sheerly on the premise that he published matter encroaching upon the regime of justice of the court during pendency. But, if the offender had reasonable grounds to believe that the matter was not pending, the publication is treated as innocent.

6.2 FAIR AND ACCURATE REPORT OF JUDICIAL PROCEEDING- SECTION 4

Subject to Section 7, a person cannot be declared accountable for contempt of court for disseminating an unprejudiced and correct report of a judicial proceeding⁹.

6.3 FAIR CRITICISM- SECTION 5

⁵ Section 5.

⁶ Section 2(a).

⁷ Section 2(b).

⁸ Section 2 (c).

⁹ Section 4.

Fair criticism on the merits of a case does not lead to contempt but the determination of ingredients of fair is interpreted as per the discretion of judges¹⁰.

6.4 COMPLAINT AGAINST PRESIDING OFFICER- SECTION 6

Honest statement made a person relating to the Officer of the court does not contemplate contempt¹¹.

6.5 TRUTH AS A DEFENCE -SECTION 13

Truth is an acceptable defence in a contempt proceeding provided the court is contented that the request and defence were bonafide and in the public interest respectively¹².

6.6 APOLOGY- SECTION 12(1) PROVISIO

The delinquent may be released or the sentence may be reduced if apology is tendered to the satisfaction of the Court¹³. However, the apology made needs to be bonafide and sincere.

6.7 PUNISHMENT FOR CONTEMPT OF COURT

High Courts and Supreme Court are empowered to punish for the contempt of the court by imposing simple imprisonment up to six months, or fine up to two thousand rupees, or both for criminal contempt¹⁴. However, accused may be discharged on apology made by him to the satisfaction of the court.

7. JUDICIAL PERSPECTIVE

7.1 Re Arundhati Roy¹⁵ : The Booker Prize-winning author Arundhati Roy was the main lead in the contempt petition taken up by the court on its own motion in relation to Narmada Bachao Andolan. The court addressed environmental harm and the eviction and displacement of underprivileged groups as a consequence of the raising of a reservoir dam on the Narmada River. The SC gave its consent for the dam's increased height. Then, in a piece authored by her, she criticized this choice. Protests were held in front of the Supreme Court's gates by activists from the Narmada Bachao Andolan, that included the author too. In her write up, it was highlighted that the judiciary was showing a lack of interest in considering a case involving corruption at the highest levels of government and national

¹⁰ Section 5.

¹¹ Section 6.

¹² Section 13.

¹³ Section 12(1)Proviso.

¹⁴ Section 12.

¹⁵ (2002) 2 SC 508.

security by issuing notice on “an absurd, despicable, entirely unsubstantiated petition.” She was the subject of contempt proceedings as a result. The Court’s ruled that, “the term judicial criticism must not be based on a gross misrepresentation and must not be intended to harm the judiciary’s reputation. The statement must be made in good faith and in the public interest, which is determined by the context, including the speaker’s background in the subject matter, the intended goal of the remarks, and his knowledge of the subject matter. Only then can the statement be deemed fair criticism.” Resultantly, the Court declared her guilty of criminal contempt, sent her to a symbolic one-day jail sentence, and fined her Rs. 2000 with the rider that she would face three years of jail for its non-compliance.

7.2 In Re: Prashant Bhushan and another¹⁶: The court took suo motu criminal contempt action against Advocate Prashant Bhushan and Twitter India, because of the posting of two tweets by the lawyer on his social media account¹⁷.

First tweet: “CJI rides a 50 Lakh motorcycle belonging to a BJP leader at Raj Bhavan Nagpur, without a mask or helmet, at a time when he keeps the SC in lockdown mode denying citizens their fundamental right to access justice!”¹⁸”

Second tweet: “When historians in future look back at the last six years to see how democracy has been destroyed in India even without a formal Emergency, they will particularly mark the role of the Supreme Court in this destruction, and more particularly the role of the last four CJIs.”¹⁹”

The bench observed that the “statements brought the administration of justice into disrepute and were capable of undermining the authority of the institutions of the Court, particularly the Chief Justice, in the eyes of the public”. The advocate was held guilty of criminal contempt and the contemnor was asked to apologise unconditionally in the court but Bhushan refused and instead of it, he filed an additional statement, quoting: “If I retract a statement before this court that I otherwise believe to be true or offer an insincere apology, that in my eyes would amount to the contempt of my conscience and of an institution that I hold in highest esteem”. One Rupee fine was imposed upon Bhushan and in the event of non-compliance, imprisonment for three months and debarment from

¹⁶ *Suo motu Contempt Petition (Crl.) No.1 of 2020* decided by Supreme Court on 31 Aug. 2020.

¹⁷ *Contempt Petition Against Prashant Bhushan*, (Mar. 20, 2024, 11:00 PM), <https://www.scobserver.in/cases/in-re-prashant-bhushan-contempt-petition-against-prashant-bhushan-case-background/>.

¹⁸ V. Venkatesan, *In Finding Prashant Bhushan Guilty of Contempt, the SC’s Reasoning is Hardly Convincing*, THE WIRE (Mar. 19, 2024, 11:06 AM), <https://thewire.in/law/prashant-bhushan-guilty-contempt-supreme-court-logic>.

¹⁹ *Id.*

practising law for three years²⁰. The advocate paid the fine before the expiry of due date.

7.3 Surya Prakash Khatri Vs Madhu Trehan²¹ : The popular Wah India magazine conducted a survey based on grading of the judges of the HC of Delhi and published on its website the results thereof. The judges were rated on various parameters of personal integrity, understanding of law, quality of judgments delivered etc and were accordingly graded along with their photographs. The publishers argued that the grades were based on a survey in which fifty senior advocates of the Delhi Bar, which is considered as one tenth of the overall strength of the Delhi Bar, were consulted. The HC disapproved this submission and directed the “confiscation of all unsold copies of the magazine in addition to banning its circulation and also ordered the media not to publish anything lowering the authority and dignity of the judiciary”.

7.4 In Re, Hon’ble Shri Justice C.S. Karnan²² : Justice Karnan corresponded through a letter to the Prime Minister in which he made averments of corruption against certain judges of High Courts and the Supreme Court. Justice Karnan also wrote to the National Commission for Scheduled Castes, whereby he alleged discrimination by his colleagues at Madras High Court on the cornerstone of caste. He demanded that his case be referred to the Parliament of India. He also passes certain orders against the judges of the Supreme Court. Contempt proceedings in the SC were taken up. Justice Karnan refused to attend the contempt proceedings and on the contrary demanded a compensatory amount of Rs 14 crore from the seven-judges bench for disturbing his mind and normal life. The judge was held accountable for contempt and was sent to jail for six months imprisonment. Media was also restricted from publishing any of his statements.

7.5 Hari Singh Nagra and others Vs Kapil Sibal and others²³: The Court ruled that “any ridicule brought towards the judges and the courts, that hampers the confidence and belief of the public thereby deteriorating the foundation of justice must be prevented at all times. But any criticism which is reasonable, rational and sober, not coloured by any tactics must be welcomed. In accordance with Article 19(1)(a) of the Constitution, freedom of speech and expression when used by the Press and the people to fairly criticise any judgment of the court, then no criminal contempt is said to be committed in such cases. Rather it is treated as a necessary right of the people. Therefore, fair and reasonable criticism on the working of the judges and the courts can be made without condemning it as contempt of court”.

²⁰ *Prashant Bhushan: India lawyer fined one rupee for tweets* (Mar. 28, 2024, 15:00 PM), <https://www.bbc.com/news/world-asia-india-53826125>.

²¹ (2001) 92 DLT 665.

²² Suo-motu Contempt Petition (Civil) No. 1 of 2017 decided by Supreme Court on 9 May 2017.

²³ [2010] 8 S.C.R. 879.

7.6 Vishwanath Vs E.S. Venkatramaih and Others²⁴: Shri E. S. Venkatramaih, the former CJI, made a statement in an interview and stated that “the judiciary in India has deteriorated in its standards because such judges are appointed, as are willing to be influenced by lavish parties and whisky bottles”. Contempt proceeding were commenced against him. The court referred to a Chinese proverb- “As long as you are up-right, do not care if your shadow is crooked” and accordingly dismissed the contempt petition. It observed that the “statement was just a way by which the former Chief Justice expressed his sadness over the condition of some of the judges”.

7.7 Shrirang Katneshwarkar Vs Kunal Kamra and others²⁵ : Stand up comedian Kunal Kamra posted certain tweets in November 2020, and criticised the Apex Court as it had granted interim bail to Republic TV Editor-in-Chief Arnab Goswami in a 2018 suicide abetment case. He criticised the judiciary for “fast-tracking Goswami’s bail plea where thousands of undertrials languishing in jails across the country find it difficult to get a hearing”. He also posted that “honour has left the building (Supreme Court) long back” and “Supreme Court of the country is the most Supreme joke of the country”. Shrirang Katneshwarkar, a law student filed the petition for punishing Kamra for lowering courts authority and scandalising its image in public. The AG found that Kamra’s acts are a “gross insinuation against the entirety of the Supreme Court of India indicating that the Supreme Court is not an independent and impartial institution and so too its Judges but on the other hand is a Court of the ruling party, the BJP, existing for the BJP’s benefit.” Kamra refused to regret for his posts and quoted that “jokes are not reality and do not claim to be so.... India would be reduced to a country of incarcerated artists and flourishing lapdogs if powerful people and institutions show inability to tolerate rebuke or criticism. Jokes need no defence”. The comedian also quoted that “there was a growing culture of intolerance where taking offence is seen as a fundamental right and has been elevated to the status of a much loved national indoor sport”. Kamra in his reply submitted to the judiciary quoted that, “...constitutional offices-including judicial offices-know no protection from jokes. I do not believe that any high authority, including judges, would find themselves unable to discharge their duties only on account of being the subject of satire or comedy.” He highlighted the “public accountability of judges who should also not be exempted from such criticism or satire. Whether jokes amount to fair criticism or not will have to be tested on the touchstone of free speech as well as it is one of the basic tenets of a democracy”.

7.8 Aditya Kashyap Vs Rachita Taneja²⁶: Rachita Taneja, a cartoonist, posted a matter on twitter through a cartoon depicting the ruling party BJP, the Supreme Court, and a reporter with the text “*Tu Janta Nahi Mera Baap Kaun*

²⁴ 1990 Cri LJ 2179.

²⁵ Contempt Petition (Criminal) No 2 of 2020 Supreme Court.

²⁶ Contempt Petition (Criminal) No.4 of 2020 decided by Supreme Court on 18 December 2020.

Hai (You don't know who my father is)". Rachita also posted another tweet by showing a caricature indicating a quid pro quo between the judiciary and the Central government in delivering the Ayodhya verdict. Law student Aditya Kashyap obtained AG's consent for commencing contempt action against the cartoonist. The AG supplemented that "such posts degrade the authority of the Supreme Court in the eyes of the public and therefore, even the cartoons were in contempt of the top court". It was argued by the cartoonist that "fair criticism is not contempt and that the base of the Court is much stronger as one imagines". The case is still pending.

8. ANALYSIS

The accusations levelled by Justice Karnan against judges of the Madras High Court and Supreme Court were grave. However, he never disputed his position in court. He was found guilty despite his refusal to appear in court. Justice Karnan, however, made his own submissions. He accused the court of prejudice based on caste. Judge Karnan was not impeached; rather, the court punished him. He desired impartial coverage from the media. The judiciary has approached the instances of Justice Karnan and Prashant Bhushan differently. Bhushan directed his tweet towards a specific person, former Chief Justice of India S.A. Bobde, who was seated on a motorcycle. Bhushan simply asked a question about it, not bringing up any major concerns but only raised a question dealing with the personal demeanour of the CJI. Personal conduct has more to do with individual morality. Justice Karnan on the other hand had not made any allegation of corruption against any judge in the public domain. Rather, he had sent his complaint to the Prime Minister's office in a sealed envelope. Since advocate Bhushan made the allegations on social media therefore the same were in the public domain. How the judiciary has weighed the contempt in both the cases on the touchstone of the constitutional as well as statutory provisions? There was hue and cry in Prashant Bhushan's case and a deep silence in Justice Karnan's conviction.

In Vishwanath's case the court dismissed the contempt petition on the assumption that the "judge expressed his sadness over the condition of some of the judges". Whereas in Kamra's case it highly objected to the jokes made against the judiciary. If sadness can be expressed they why satire was not permitted to be expressed in Kamra's case? Right to dissent is integral to any democracy. The postulate of natural justice which is implicit in rule of law cannot be authorised to be tilted even by the judges. Although judiciary has been given the power to act as a judge in its own cause, the power still demands application of rule of law i.e., lack of arbitrariness. The protection is available to the judiciary as an institution and not to the individual judges. It needs to be seen that if it is the institution that is being insulted or the individual judge? Does court consider any difference between the two or both are treated at par with each other by the

judiciary? If the difference exists then certainly individual insult needs ignorance under contempt of court atleast and insult of the judiciary as an organ demands action.

9. CONCLUSION

The imbalance between freedom of speech and contempt of court is an important issue that needs to be addressed. There is a demand to overcome the vagueness for better working between them. Responsible criticism is the best. People must understand their responsibilities to avoid making statements under the purview of contempt of court and reduce the chances of abridging the fundamental right of freedom of speech and expression. At the same time courts should also as far as possible ignore at least individual contempt incidents. Right to dissent must prevail over contempt to protect the democracy failing which it will gradually lead to unrest among the masses and serious repercussions in future.

10. SUGGESTIONS

1. The Law Commission of India in its report²⁷ suggested no need for amendment to the Act, for the following reasons:
 - a. **High Number of Contempt Matters:** Due to inflation in civil and criminal contempt matters continuity of the statute is justified. If the definition of contempt is allowed to be amended it may mitigate the all embracing influence of the statute and alleviate the esteem that people have for the judiciary.
 - b. **International Comparison:** Two paramount differences were highlighted in regard to contempt law in UK and India. One, instances of criminal contempt matters in India are high. On the other hand, the hindmost offence of Scandalising the Court in the Britain was in 1931. Two, scandalising the Court is penal in the UK under supplementary laws but in India abolition of the statute would create a legislative gap.
 - c. **Source of Contempt Power:** Since power of contempt is inherent and originates through the Constitution, therefore, expunging of the wrong from the Act will not hamper the innate constitutional valour of the judiciary in awarding punishment for its contempt.
 - d. **Impact on Subordinate Courts:** Narrowing the explication of contempt will lead to the enhanced suffering of subordinate courts since there will be no remedy to redress their contempt matters.
 - e. **Ambiguity:** Judiciary may give multiple interpretations amounting to contempt if there is absenteeism of any definition for criminal contempt.
 - f. **Adequate Safeguards:** Exercise of contempt capacity is limited to the limitations in the law which implies that the judiciary cannot deal with all

²⁷ Report No 274 (2018).

matters of contempt. Since the statute has withstood judicial scrutiny therefore, there is no necessity for its amendment.

2. Justice Felix Frankfurter in *Bridges v. California*²⁸ opined that “Judges as persons, or courts as institutions, are entitled to no greater immunity from criticism than other persons or institutions. Just because the holders of judicial office are identified with the interests of justice they may forget their common human frailties and fallibilities. Therefore judges must be kept mindful of their limitations and their ultimate responsibility by a vigorous stream of criticism expressed with candour however blunt. ... Courts and judges must take their share of the gains and pains of discussion which is unfettered except by laws of libel, by self restraint and by good taste. Nor should restrictions be permitted that cramp the feeling of freedom in the use of tongue or pen regardless of the temper or the truth of what may be uttered. ... Since courts, although representing the law, are also sitting in judgment, as it were, on their own function in exercising their power to punish for contempt...it is always better to err on the side of tolerance and even disdainful indifference.” Hence, there is a demand to have a wider perspective of the notion so as to make it compatible with democratic norms.
3. Due to a mismatch amongst the approaches of judiciary towards imposition of penalties seems to be sometimes very liberally exercised and sometimes rigidly exercised. Law requires objective approach devoid of emotions but in contempt cases it may be the subjective power exercising control over the objectivity resulting in the mismatch. The judiciary is considered very highly of its virtue and petty matters should be ignored by it lest pendulum of balance between fundamental rights and contempt power will disturb. It does not suit to an institution of democracy like the Judiciary which has taken stand for the freedoms of people, itself getting affected by its own criticism. Democracy demands liberty of speech even if said in the manifestation of a joke or satire. Criticism if digested by the goodwill of judiciary, will indicate that right to dissent is protected and democracy is intact. There need to be a relook into the wider powers conferred upon the judiciary.
4. Since no soul is perfect therefore no law or definition can also be foolproof either. Therefore the existing definitions can be retained but the judicial approach should be widened while determining what amounts to contempt.
5. Preservation of freedom of speech will be possible if power for contempt is exercised exceptionally. Frequently exercising of contempt power for every joke/comment/criticism/satire may not be progressive and will gradually lead to crush voices of democracy resulting in a revolution in the long run.²⁹ Liberty to speak and express not only lends voice to the masses to speak their

²⁸ 314 US 252 (1941).

²⁹ Madan B. Lokur, *Our Fundamental Rights to Free Speech and Protest are Being Eroded and Mauled* THE WIRE (Mar. 27, 2024, 15:07 AM), <https://thewire.in/rights/fundamental-rights-free-speech-protest>.

issues but can also be misused as a device to misguide the masses to lawlessness. Similarly, contempt of court is a vital tool to ensure the smooth functioning of courts for the earliest delivery of justice to people³⁰. The absence of any one will result in a state of anarchy and rebellion.

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