

News

The Jharkhand High Court dismisses the contempt action against the attorney who advised the judge to stay within bounds.



The Court acknowledged the lawyer's apology and stated that judges are never eager to use contempt jurisdiction.

Following a heated argument with Justice Rajesh Kumar last year, the Jharkhand High Court filed a suo motu criminal contempt case against attorney Mahesh Tiwari. The case has already been closed.

On social media, a live-streamed YouTube video of the hearing went viral. On October 16, 2025, Advocate Tiwari addressed Justice Kumar and stated, "I'm able to argue my own way, not the way you say. Please be mindful of that. I'm urging you not to try to degrade any advocate. Don't try to make anyone feel inferior, sir. The judiciary is causing the nation to burn. I say these things. Never attempt to degrade an advocate. **"You know a lot, you have become a judge; We don't know, we are lawyers." "Aap bahut jaante hai, aap judge hogaye; hum loug nai jaante hum loug wakeel hai."** I'll make my own argument. Don't go overboard. Don't go above the limit, please. I've been practicing for the past forty years.

Following the Supreme Court's request last month for the High Court to take into consideration advocate Tiwari's unconditional apology, a Full Bench consisting of Chief Justice MS Sonak and Justices Sujit Narayan Prasad, Rongon Mukhopadhyay, Ananda Sen, and Rajesh Shankar closed the contempt proceedings against him on February 16 of this year.

However, the High Court said that his remarks in the courtroom were unfortunate and that an attorney with more than 40 years of experience in the legal field should be more careful, if not restrained. We are inclined to accept the contemnor's unconditional apologies to this Court after giving careful regard to the pleas, transcript, video clip, and relevant legislation. But this isn't because we don't think the contemnor's actions and statements in court are controversial or have the potential to embarrass or diminish the Court's authority," the Court stated.

The Court stated its hope and expectation that going forward, the attorney will exercise restraint and refrain from any misadventure that could scandalize or diminish the institution's authority, or otherwise impede the administration of justice in any way. The Court declared, "We accept the contemnor's apology and drop the contempt proceedings after taking into account the facts, circumstances, and the dicta of the Hon'ble Apex Court."

The Court further observed that Tiwari had claimed that his words were an impulsive and fleeting reaction to the humiliation that Justice Kumar's personal remarks had caused him.

Furthermore, it noted that the lawyer had expressed no sorrow or remorse for his acts in his first response before the entire Bench.

The Court declared that this comment injured it. It damages the institution more than it hurts us, and the institution is much bigger than the judges and attorneys who are

only a part of it. It conveys a sense of bluster that some galleries or quarters could find appealing. However, a seasoned lawyer with more than 40 years of experience can't afford to overlook or breach the thin but clearly defined boundary between arrogance and forthrightness, the Bench stated.

It further stated that by October 17, 2025, tempers ought to have subsided and more sensible advice ought to have won out. The Bench stated that the situation might not have been provoked if there had been some mercy and repentance, at least on that particular day.

The Court noted the advocate's subsequent apology and stated, "***Our institution's shoulders are sufficiently broad to not be overly impacted by the contemnor's actions and statements, even while we do not approve of or ignore them. As a result, even while we disagree with the contemnor's statements and actions in court on October 16, 2025, we are convinced that this is a case where we must be understanding and forgiving.***"

"Judges are never eager to invoke contempt jurisdiction to protect judicial prestige or uphold their own dignity," the Court continued. It noted that this authority should be used sparingly to protect the proper administration of justice and to avoid any interference, obstruction, or hindrance to it, not to defend the Court's dignity against insults or harm.