

**IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPEAL NO. 791 OF 2020

V. RAMESH BABU

Appellant(s)

VERSUS

DR. LEENA VIJAYKUMAR

Respondent(s)

O R D E R

This Appeal under Section 19(1)(b) of the Contempt of Courts Act, 1971 challenges the final judgment and order dated 23.12.2019 passed by the High Court of Karnataka at Bengaluru in Cr1. CCC No. 4 of 2018.

Finding the appellant guilty of contempt under Section 2(c)(ii)(iii) of the Contempt of Courts Act, 1971 for having obstructed the course of justice, the High Court sentenced him to suffer imprisonment for

four months with imposition of fine in the sum of Rs.2,000/-, in default whereof to undergo further imprisonment for one month.

Heard Ms. Kiran Suri, learned Senior Counsel for the appellant in support of the appeal. Inviting our attention to the charges framed by the High Court, as set out in paragraph 7 of judgment under appeal, it was submitted by Ms. Kiran Suri, learned Senior Counsel that if the appellant had taken steps in initiating litigation which finally culminated in the dismissal of Curative Petition by this Court, the appellant could not be held guilty of obstruction of course of justice.

The submission certainly merits acceptance. However, the fact remains that even after the dismissal of Curative Petitions by this Court ON 21.07.2016, a registered Lease Deed was executed by the

appellant on 05.06.2017 for a period of 30 years as described in paragraph 29 of the judgment under appeal. Said paragraph 29 indicates that the agreed rental amount was Rs.14,000/- per month and a deposit of Rs.2,00,000/- was also accepted in cash.

This conduct on part of the appellant, particularly after the rejection of his entitlement and the dismissal of Curative Petitions, clearly evidences the intent to obstruct the course of justice.

We, therefore, agree with the view taken by the High Court and dismiss this appeal.

The appellant was granted the benefit of exemption from surrendering by virtue of order dated 16.11.2020 passed by the learned Chamber Judge of this Court. The appellant is now directed to surrender within 7 days before Wilson Garden P.S. Bangalore failing which the concerned Police Authorities shall

take him in custody to undergo the sentence imposed by the High Court.

A copy of this Order shall be sent to the concerned Police Station as well as the jurisdictional Chief Judicial Magistrate for compliance.

With the aforesaid observations the appeal is dismissed.

..... J.
(UDAY UMESH LALIT)

..... J.
(HEMANT GUPTA)

..... J.
(S. RAVINDRA BHAT)

New Delhi;
January 05, 2021.

