



2026:AHC:62506-DB

HIGH COURT OF JUDICATURE AT ALLAHABAD

CONTEMPT APPLICATION (CRIMINAL) No. - 4 of 2026

In Re

.....Applicant(s)

Versus

Ashutosh Kumar Mishra

.....Opposite
Party(s)

Counsel for Applicant(s) :

Counsel for Opposite Party(s) :

Court No. - 42

HON'BLE SIDDHARTHA VARMA, J.

HON'BLE JAI KRISHNA UPADHYAY, J.

1. Affidavit tendering unconditional apology has been filed by the alleged contemnor Sri Ashutosh Kumar Mishra (A/A1461/2012) after serving the same on Sri Sudhir Mehrotra, learned Standing Counsel appearing on behalf of High Court, Allahabad.

2. From the record, we find that on 12.2.2026, alleged contemnor Sri Ashutosh Kumar Mishra, Advocate AOR No. A/A 1461/2012 had appeared in Criminal Misc. Bail Application No. 5069 of 2026 on behalf of one Kunal and when the case was taken up as a fresh case, and the learned AGA was directed to file counter affidavit alongwith complete evidence/injury report and statements of injured as well as doctor within three weeks, then the alleged contemnor Sri Ashutosh Kumar Mishra raised his voice in open Court and as per the Court, he had stated as follows:-

"Why are you calling for a counter affidavit in this case? You do not have the courage to seek explanation from the concerned Investigating Officer who, till date, has not recorded the statement of the injured. You(Judge) have no authority to pass any order against the Investigating Officer. It appears that you are working under the pressure of the Government."

3. Definitely, the Court before whom these words were used felt offended and it concluded that there was an intention on the part of Sri Mishra to

interfere with the judicial proceeding as was going on. The Court had held that prima facie, the behaviour of Sri Ashutosh Kumar Mishra fell within the ambit of criminal contempt. Definitely the Court had felt scandalized with the way Sri Ashutosh Kumar Mishra had conducted himself.

4. When the matter was referred by the learned Single Judge to Hon'ble the Chief Justice for suitable action, it was placed before us.

5. Today the contemnor is present through his counsel Sri Shri Kant Shukla, who is also present in the Court alongwith other office bearers of the Bar Association. Sri Ashutosh Kumar Mishra and the other learned counsel who are present in the Court stated that Sri Mishra was very apologetic and was tendering his unconditional and unqualified apologies. They had also stated that Sri Mishra would never even in his wildest of dreams think of behaving in the manner he had behaved on 12.2.2026.

6. Sri Ashutosh Kumar Mishra is also present in the Court. From his demeanor we gather that he is apologetic and that he was apologizing from his heart. He personally stated that such an incident as had taken place on 12.2.2026 shall never occur again.

7. Considering the apology which has been tendered in the open Court today we are of the view that the criminal contempt proceeding be now dropped. The proceedings are thus dropped after the acceptance of the apology tendered.

8. The case be consigned to the records.

(Jai Krishna Upadhyay,J.) (Siddhartha Varma,J.)

March 25, 2026
P.P.