

IN THE SUPREME COURT OF INDIA
CRIMINAL ORIGINAL JURISDICTION

WRIT PETITION (CRIMINAL) NO.19 OF 2013

ASHIS NANDY

PETITIONER

VERSUS

UNION OF INDIA & ORS.

RESPONDENT

O R D E R

1. This petition was filed to quash FIR No.35/2013, registered at Police Station Ashok Nagar Jaipur (South), Rajasthan, registered by respondent No.4 for the objectionable comments made by the petitioner in the Jaipur Literary Conference, which is an annual event. Subsequently, one other FIR bearing FIR No.53/2013 was registered at Police Station Mahamandi, District Jodhpur, Rajasthan and a private criminal complaint was filed in the State of Bihar bearing C.C. No.248/2013, registered at Patna, Bihar. The petitioner has filed an application for amendment of the writ petition incorporating both the subsequent FIRs and seeking quashing of the same also.

2. We have heard Mr.Sunil Fernandes, learned Senior Counsel appearing for the petitioner, Dr.K.S. Chauhan, learned Senior Counsel appearing for respondent No.4 and Mr.S.D. Sanjay, ASG appearing for the Union of India.

3. Learned Senior Counsel appearing for the petitioner has submitted that the petitioner is a renowned intellectual and clinical psychologist, social theorist and critic of universal acclaim. We, however, cautioned the learned Senior Counsel that the celebrity status of the petitioner will not deter us from finding fault with him, if he has made objectionable comments.

4. Learned Senior Counsel appearing for respondent No.4 has pointed out from the records the very objectionable comments made by the petitioner against people belonging to the marginalized sections of society. In fact, immediately afterwards one of the panel members had raised objection about the comment and had categorized it as a bizarre statement, the like of which has not been heard before in this country. We perfectly agree with the objection raised and we find the statement to be very objectionable. We cannot but condemn the statements made in the strongest terms, especially since it does not become a person of the petitioner's status and his self-proclaimed attainments of acclaim and renown.

5. However, we notice that the petitioner is now 90 years old and the criminal cases were hanging over his head, akin to the sword of Damocles, for the last about 12 years. We are of the opinion that the criminal cases should be quashed, especially in the context of an apology having been

unconditionally and unequivocally made before this Court in a letter, which was recorded by this Court on 24.11.2014. The respondent(s) were also given liberty to publish such statement which recourse has not been taken by the respondent(s). Though we condemn the statements made by the petitioner in the strongest terms, we are of the opinion that in the peculiar facts and circumstances of the case and also considering that the petitioner is now a nonagenarian, we direct that the criminal complaints be quashed. Accordingly, FIR No.35/2013 registered at Police Station Ashok Nagar Jaipur (South), Rajasthan and FIR No.53/2013 registered at Police Station Mahamandi, District Jodhpur, Rajasthan and the criminal complaint C.C. No.248/2013 registered at Patna, Bihar are quashed, and the Writ Petition is allowed, only by reason of the apology proffered.

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

.....J.
(K. VINOD CHANDRAN)

.....J.
(N.V. ANJARIA)

NEW DELHI;
SEPTEMBER 04, 2025.

ITEM NO.107

COURT NO.17

SECTION X

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition (Criminal) No.19/2013

ASHIS NANDY

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

IA No. 24554/2014 - DIRECTION

Date : 04-09-2025 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE K. VINOD CHANDRAN
HON'BLE MR. JUSTICE N.V. ANJARIA

For Petitioner(s) : Mr. Sunil Fernandes, Sr. Adv.
Ms. Shivani Kher, Adv.
Mr. Chandan Kumar, AOR

For Respondent(s) : Ms. Pragati Neekhara, AOR

Dr. K.S. Chauhan, Sr. Adv.
Mr. Ajit Kumar Ekka, AOR
Mr. Abhishek Chauhan, Adv.
Mr. Ravi Shankar Singh, Adv.

Mr. Aaditya Aniruddha Pande, AOR
Mr. Siddharth Dharmadhikari, Adv.
Mr. Shrirang B. Varma, Adv.
Mr. Bharat Bagla, Adv.
Mr. Sourav Singh, Adv.
Mr. Aditya Krishna, Adv.
Mr. Adarsh Dubey, Adv.
Ms. Chitransha Singh Sikarwar, Adv.

Mr. Prafulla Kumar Bharat, Adv. General
Mrs. Purna Dhall, Adv.
Mr. Ambuj Swaroop, Adv.
Mr. Kapil Katare, Adv.
Mrs. Rajnandani Kumari, Adv.
Mr. Prashant Singh, AOR
Ms. Minakshi Pandey, Adv.
Mr. Sachin Kumar Anand, Adv.
Mr. M.A. Chaudhary, Adv.

Mr. S. D. Sanjay, ASG
Ms. Medha Trivedi, Adv.
Ms. Akanksha Raj, Adv.
Ms. Navroop Jawanda, Adv.

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

Writ petition is allowed in terms of the signed order
placed on the file.

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

(NEHA GUPTA)
SENIOR PERSONAL ASSISTANT

(AVGV RAMU)
COURT MASTER (NSH)