

MHPU040820772024



SCC No. 73377/2024

Satyaki Savarkar Vs. Rahul Gandhi

Order Below Exh. 79

1. The Accused filed this application to permit him to record his plea through his advocate Milind Dattatray Pawar from Pune. He relied on

- i) Karanjia Vs Chellappan Pillai and anr.
- ii) M/s. Bhaskar Industries Ltd. V. M/s. Bhiwani Denim and Apparels Ltd. Ors on 27 August 2001.

2. Ld. Advocate for the complainant stated that, the permanant exemption of the accused has been granted. He prayed to pass a suitable order.

3. Heard both the Ld. Advocates of the parties. This court has granted permanant exemption to the accused from appearing before this court in this case. The accused has no objection to record his plea through his Ld. Advocate. Hon'ble Supreme Court M/s. Bhaskar Industries (Supra) held that, it is not mandatory for the accused to appear in person and the court has the discretion to permit representation through a pleader. Considering the ration of the citation, this court finds that, permission should be granted to the accused to record his plea through his advocate. Hence, following order.

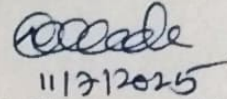
ORDER

1. Application at Exh. 79 is hereby allowed.
2. Accused is permitted to record his plea through his Ld. Advocate Shri. Milind Dattatray Pawar, Pune.

(Pronounced in Open Court)

Pune.

Date : 11/07/2025


11/7/2025

(Amol Shriram Shinde)

Judicial Magistrate First Class,

Court No.9, Pune.

IN THE COURT OF AMOL SHRIRAM SHINDE
JUDICIAL MAGISTRATE, FIRST CLASS, COURT NO. 9, PUNE.

S.C.C. No. 73377/2024

Exh. No. 8/

Date of commission of offence : 05/03/2023

Date of receipt of complaint : 15/04/2023

Name of the complainant : **Satyakey Ashok Savarkar,**
Age - 40 years,
Occ. - Service.
R/at:- 500/2A, Shaniwar Peth,
Sawarkar Bhavan, Raja Thakur
Marg, Near Dashmukhi Maruti
Temple, Pune - 411030.

Name of the accused : **Rahul Raju Gandhi,**
Age - 55 years,
Occ. - Politician, Member of
Parliament.
R/at - 12, Tughalak Lane,
New Delhi - 110011.

Offence complained of : section 499 and 500 of the IPC.

Particulars of the offence :

You accused delivered speech in London at gathering of Overseas Congress at the United Kingdom which was uploaded on 05.03.2023 on your official channel @Rahul Gandhi, having URL <https://youtu.be/AY-Y3lowSXE> with the title "Indians abroad shining examples of our culture of respect, Interaction with Diaspora in London." "अगर.. अगर वह मुझसे कमजोर है तो मैं अपने ५-१० मित्रों के साथ उस को पीट दूंगा। मगर अगर वह RSS वालों से तगड़ा है तो मैं भाग जाऊंगा। सावरकर ने अपनी किताब में लिखा है अगर आपने पढ़ी हो, उनकी किताब है उसमें लिखा है कि एक

दिन उन्होंने और उनके ५-६ मित्रों ने एक मुसलमान व्यक्ति को पीटा और उस दिन उनको बहुत खुश हुआ खुशी हुई। तो देखिए अगर ५ लोग एक आदमी को पीटते हैं और उनमें से किसी एक व्यक्ति को बड़ी खुशी हो रही है। वह कायरता ही है। अगर लडना ही है तो एक व्यक्ति से अकेले जा कर लड लो। मगर नहीं ५-१० लोक सावरकर जी के साथ एक व्यक्ति को पीटते हैं तो उनकी ideology में यह भी है।" making such defamatory statements with intention of harming or with knowledge or having reason to believe that it will harm the reputation of Veer Savarkar, his relatives and complainant and thereby committed an offence punishable under Sec. 500 of the Indian Penal Code, 1860 and within my cognizance.

Plea of the accused :

Q.1. Have you received the copies of complaint and accompanying documents?

Ans. Yes.

Q.2. Have you understood the particulars of the offence leveled against you, now read over and explained to you?

Ans. Yes.

Q.3. Do you plead guilty?

Ans. No. I do not plead guilty.

.....
(Signature of Ld. Advocate of the accused).

Pune

Date: 11/07/2025

.....
(Amol Shriram Shinde)

Judicial Magistrate, First Class
Court No. 9, Pune.