

2025 LiveLaw (SC) 896

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

K. VINOD CHANDRAN; J., N.V. ANJARIA; J.

WRIT PETITION (CRIMINAL) NO.19 OF 2013; SEPTEMBER 04, 2025

ASHIS NANDY *versus* UNION OF INDIA & ORS.

Code of Criminal Procedure, 1973 - Section 482 - Quashing of FIR - Supreme Court quashed criminal case against petitioner, citing his age and an unconditional apology he made before the Court - FIR was registered for 'objectionable comments' made at Jaipur Literary Conference - Supreme Court condemned Petitioner's statements as 'very objectionable' and found them unbecoming of a person of his status, it noted that the criminal cases had been pending for about 12 years and that petitioner is now 90 years old - Supreme Court's decision to quash the complaints was based 'only by reason of the apology offered' - Petition Allowed.

[Para 5]

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.

ORDER

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.

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