

MHPU040820772024



SCC No. 73377/2024

Satyaki Savarkar Vs. Rahul Gandhi

Order Below Exh. 111

1. The complainant filed this application to run the link / URL of the alleged defamatory speech video which is mentioned in his original complaint. Complainant stated that, the compact disk (in short CD) provided in the evidence was not properly displaying the contents therein. That, the original link to the video which is mentioned in the original complaint may kindly be allowed to display and run to substantiate the complaint. Therefore, he prayed to play the original link mentioned in the complaint.

2. The Ld. Advocate for the accused replied that, the CD is found blank while running it in the court. The complainant is not the owner of the You tube channel. This is not the stage to open the link during the chief examination of the complainant before the court. There is no provision to file this application to open the link during chief examination. Lastly, he prayed to reject the application.

3. Heard both the Ld. Advocates of the parties. Perused the application, say filed by the accused. The evidence of the complainant is being recorded. He partly deposed before this court. The CD filed by the complainant is being run on the laptop and computer of the court, but, it was found to be blank. No data is found in the CD. The complainant has filed a certificate as per Section 65-B of the Indian

Evidence Act with respect to the CD. The certificate cannot be used for the URL mentioned in the complaint which is sought to be played by the complainant. The URL is not supported by certificate as per section 65-B of the Indian Evidence Act. Therefore, the URL is not admissible in evidence. The complainant filed this complaint on hearing the alleged defamatory speech of the accused in the year 2023. The case is filed for the cause of action arose in the year 2023 when the accused delivered, telecasted and circulated the alleged defamatory speech. Therefore, this court cannot play the URL in the court. The complainant has to prove its case beyond reasonable doubt. This court does not find any merits in the application. The application of the complainant is liable to be rejected. Hence, following order.

ORDER

Application Exh. 111 is hereby rejected.

(Pronounced in Open Court)

Pune.

Date : 14/11/2025

(Amol Shriram Shinde)

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

CERTIFICATE

“ I affirms that the contents of this PDF file Judgment / Order are same word for word as per the original Judgment / Order.”

Name of the Steno : M. D. Shirode
(Stenographer Grade III)

Name of the Court : Amol Shriram Shinde
JMFC Court No.9, Pune.

Date of Order : 14/11/2025

Order signed by PO on : 14/11/2025

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