

News

British citizenship claim: Allahabad High Court transfers case against Rahul Gandhi from Raebareli to Lucknow



The Court transferred the case to Lucknow after noting the complainant's claim that Gandhi's fans were not allowing the complainant to argue the case in Raebareli court.

The Allahabad High Court recently transferred to Lucknow a complaint pending before a Raebareli court that wants registration of a criminal case against Congress leader Rahul Gandhi over his alleged British citizenship.

Justice Brij Raj Singh transferred the case to Lucknow after noting the complainant's

claim that Gandhi's backers were not allowing the complainant to argue the case in Raebareli court.

It also noted his allegation that ruckus was being caused by the "mob and advocates of District Raebareli" where Gandhi happens to be the Member of Parliament (MP).

"The application has made allegation that the opposite party No.4 is a sitting Member of Parliament (Lok Sabha) from Raebareli constituency, therefore, in the light of the aforementioned facts, he prays that the case may be transferred to some other District. In view of the mentioned factual aspects, I find that in all fairness the application is liable to be transferred from District Raebareli to Lucknow," the Court said.

It, thus, ordered that the complaint be transferred from Additional Chief Judicial Magistrate-IV, (MP/MLA Court) at Raebareli to the court dealing with the MP/MLA Cases in Lucknow.

Before passing the order, the Court did not issue any notice to Gandhi after the complainant's lawyer argued that the Leader of Opposition is not an aggrieved person yet since no order for FIR has been passed on the application filed under Section 173(4) of Bharatiya Nagrik Suraksha Sanhita (BNSS).

The complaint filed by S Vignesh Shishir seeks registration of a criminal case against Gandhi under different provisions of Bhartiya Nyaya Sanhita (BNS), Official Secrets Act, Passport Act and the Foreigners Act. His claim is that Gandhi was the Director of the UK-based company Backops Ltd and in its records had himself claimed his nationality as British.

After the police failed to open a case on the complaint, Shishir moved the trial court. The complainant had earlier also asked the Ministry of Home Affairs to cancel Gandhi's Indian citizenship on the on the alleged ground that he has already gained the British citizenship.

In August, the High Court ordered the Union government to provide a personal security officer (PSO) of Central Armed Police Forces to Shishir for his round-the-clock security.

S Vignesh Shishir appeared in person.

Government Advocate VK Singh and advocate Rao Narendra Singh argued for the State.

Lawread