

News

Rahul Gandhi challenges the summons order for Savarkar remarks before the Supreme Court.

A bench consisting of Justices Dipankar Datta and Manmohan is scheduled to hear the case today.



Rahul Gandhi, the leader of the opposition (LoP), has appealed to the Supreme Court against an Allahabad High Court ruling that had denied his request to have the summons from a magistrate court for his remarks against Vinayak Damodar Savarkar revoked.

A bench comprising **Justices Dipankar Datta and Manmohan** of the highest court is scheduled to hear the case today.

Gandhi moved to the highest court after the Allahabad High Court had previously refused to consider the plea.

After noting that Gandhi might have approached the Sessions Judge with a plea under Section 397 (review records of lower court) of the Code of Criminal Procedure rather than going to the High Court, **Justice Subhash Vidyarthi** of the High Court declined to consider Gandhi's plea.

On December 12, 2024, a Lucknow Magistrate court issued the summons order.

Following a complaint from counsel Nripendra Pandey, Gandhi is being charged under Sections 153A (promoting enmity) and 505 (public mischief) of the Indian Penal Code (IPC).

In order to file a first information report (FIR) against Gandhi for his comments on Savarkar, Pandey had first applied to an Additional Chief Judicial Magistrate (ACJM).

Pandey voiced his displeasure with Rahul Gandhi's comments at his Bharat Jodo Yatra on November 17, 2022, in which he called Savarkar a British collaborator and added that the British had given him a pension.

Pandey claimed that the purpose of these statements was to incite animosity in the community.

Additionally, according to Pandey's complaint, Mahatma Gandhi had already acknowledged Savarkar as a patriot.

Pandey filed a challenge in the sessions court after **Additional Chief Judicial Magistrate Ambrish Kumar Srivastava** dismissed his complaint in June 2023.

Gandhi was then summoned by the magistrate court after the sessions court granted the plea and remanded the case.

Gandhi had stated that Savarkar was a British servant who was granted a pension, the magistrate court noted in the decision.

The trial court noted that these comments had stoked animosity and malice in the community.

As a result, the trial court ordered Gandhi to appear before it after finding a prima facie case against him.

Gandhi then filed a challenge against the summoning order in the High Court, which was also denied, which resulted in the current appeal before the Supreme Court.

Gandhi was recently assessed ₹200 in fees by the trial court for his failure to appear in court.

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