

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No(s). 15212/2024

[Arising out of impugned judgment and order dated 25-10-2024 in MCRC No. 12558/2024 passed by the High Court of M.P. Principal Seat at Jabalpur]

SHIVRAJ SINGH CHOUHAN & ORS.

Petitioner(s)

VERSUS

VIVEK KRISHNA TANKHA

Respondent(s)

(IA No.252886/2024-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.252888/2024-EXEMPTION FROM FILING O.T.)

Date : 11-11-2024 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE HRISHIKESH ROY
HON'BLE MR. JUSTICE S.V.N. BHATTI

For Petitioner(s) Mr. Mahesh Jethmalani, Sr. Adv.
Mr. Maninder Singh, Sr. Adv.
Mr. Gagan Gupta, Sr. Adv.
Mr. Nikhil Jain, AOR
Mr. Ajay Awasthi, Adv.
Mr. Saurabh Singh, Adv.
Ms. Shruti Verma, Adv.

For Respondent(s) Mr. Kapil Sibal, Sr. Adv.
Mr. Shyam Divan, Sr. Adv.
Mr. Sumeer Sodhi, AOR
Mr. Harjas Singh Chhabra, Adv.
Ms. Bhawana Mapwal, Adv.

UPON hearing the counsel the Court made the following

O R D E R

1. Heard Mr. Mahesh Jethmalani, learned senior counsel appearing for the petitioners.
2. The counsel submits that defamation proceedings are initiated against the petitioners at the instance of the respondent (complainant). The alleged defamatory statements respectively

relate to 22.12.2021 and 25.12.2021, in the backdrop of the Madhya Pradesh local bodies elections. The counsel submits that cognizance of the said proceeding was erroneously taken by the concerned court and the same should not have been done in the teeth of Article 194(2) of the Constitution.

3. Issue notice, returnable in four weeks.

4. Mr. Kapil Sibal, learned senior counsel appears on Caveat, on behalf of the complainant.

5. In the meantime, subject to the petitioners effective participation with counsel as may be needed, before the concerned Court, they need not be subjected to bailable warrants.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(KAMLESH RAWAT)
ASSISTANT REGISTRAR