

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELATE JURISDICTION
PUBLIC INTEREST LITIGATION NO.15 OF 2016

Mr.M.M.Vashi, Senior Advocate i/b Mr.A.A.Siddiquie & Associates for the Petitioner
Mr.Anil C. Singh, ASG a/w Mr.Sandesh Patil and Ms Indrayani Deshmukh for the respondent No.1
Mr.J.P.Yagnik, APP for respondent Nos.2 and 3.

P.C.:

1 Heard the learned senior counsel for the petitioner in support of the petition. The learned senior counsel for the petitioner submitted that only on the basis of the allegations made by the Authorities in Bangla Desh against the fourth respondent Dr.Zakir Naik that the investigation against the fourth respondent has been commenced at the hands of the National Intelligence Agency, Intelligence Bureau and Special Investigation Team. His submission is that before any such investigation proceeds, a High Power Committee be appointed headed by a sitting Judge of this Court or a retired Judge of the Apex Court to examine whether the fourth respondent has made any offending speeches. His submission is that the petitioner and others are deprived of the benefit of religious speeches

delivered by the fourth respondent and in fact, as a result of the enquiry, a television channel run by the fourth respondent has been closed down.

2 We have considered the submissions. Firstly, we may note here that the fourth respondent has not made any grievance against the action sought to be taken against him by any of the contesting respondents. Secondly, even the petition proceeds on the footing that the matter is being investigated by the certain Agencies like National Intelligence Agency. If the matter is being investigated by the regular Investigating Agencies, there is no question of appointing aa High Power Committee to examine the allegations made against the fourth respondent of delivering anti nation speeches.

3 Though reliance is placed on Article 25 of the Constitution of India, we fail to understand as to how fundamental right of the petitioner is breached by the said Agencies holding an enquiry on the basis of the allegations made against the fourth respondent.

4 Hence, we find no merit whatsoever in this Public Interest Litigation and the same is rejected.

(ANUJA PRABHUDESSAI,J.)

(A.S.OKA,J.)