



CWP-15294-2022

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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

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CWP-15294-2022  
Date of decision: 11.09.2024

Sarfudin & ors. ...Petitioners

Versus

State of Haryana & ors. ...Respondents

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present : Mr. Som Nath Advocate for  
Mr. Rajeev Godara, Advocate,  
for the petitioners.

Mr. Munish Dadwal, AAG, Haryana.

Mr. Dheeraj Kumar, Advocate  
for respondent No.5.

VINOD S. BHARDWAJ, J. (Oral)

Prayer in the present writ petition is for issuing directions to the respondents to investigate/inquire into the complaint dated 14.06.2021 (Annexure P-3) and complaint dated 07.07.2021 (Annexure P-4) submitted by the petitioners against the hate speech alleged to have been given by respondent No.5.

Learned State counsel has informed that the present writ petition has been rendered infructuous as a final report has been filed for offences under under Sections 153-A and 295-A IPC against Gopal Sharma @ Ram Bhagat Gopal in FIR No.265 dated 11.07.2021 upon culmination of the investigation. It was also specifically stated in the status report filed by the Assistant Commissioner of Police, Pataudi, Gurugram that in the Hindu Mahasabha/Mahapanchayat that had been convened in Indri Village situated in District Nuh, Gopal Sharma @ Ram Bhagat Gopal had given a

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provocative speech which had the potential to cause riots and jeopardize law and order. The said speech was also against religious sentiments and video of the same was made viral via social media links. It is also informed that Gopal Sharma @ Ram Bhagat Gopal was arrested by the Investigating Officer on 12.07.2021 and his disclosure statement was duly recorded. Respondent No.5 was not found involved in giving any provocative speech. It is contended that further proceedings are now pending before the Illaqa Magistrate for 04.12.2024.

The said written statement had been filed by the respondents on 12.01.2023, however no replication/rejoinder to the same has been filed.

As the prayer in the petition is specific to the extent of taking action against the provocative speeches and that appropriate action has been taken by the respondents and the chargesheet has been filed against the persons involved, the present petition has become infructuous and is disposed of accordingly.

The petitioners may, if so advised, take recourse to an alternative remedy available where the case is pending.

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| 11.09.2024                 | (VINOD S. BHARDWAJ) |
| monika                     | JUDGE               |
| Whether reasoned/speaking: | Yes/No              |
| Whether reportable:        | Yes/No              |