

Saint Shri Asharam Babu

v.

U.O.I & Others

(Supreme Court Of India)

HON'BLE CHIEF JUSTICE MR. P. SATHASIVAM HON'BLE MR. JUSTICE
RANJAN GOGOI

Writ Petition (Civil) No. 900 Of 2013 | 21-10-2013

The petitioner has approached this Court by way of the writ petition under Article 32 of the Constitution of India praying for writ of mandamus or appropriate writ, order, direction, restraining the respondents as well as media in general from publishing any news report/article in any manner whatsoever, adversely prejudicing the petitioner's right to fair trial and presumption of being innocent until proved guilty before the competent Court of law or in alternative the petitioner has prayed issue writ of mandamus or appropriate writ(s), direction(s) directing postponement of publication of any news report/article in any manner whatsoever, adversely prejudicing the petitioner's right to fair trial and presumption of being innocent until proved guilty before the competent Court of law at least till conclusion of the trial.

We have heard Mr. Vikas Singh, learned senior counsel appearing for the petitioner at length. After taking us through the publication made in certain dailies as well as coverage of electronic media, Mr. Vikas Singh has also relied on various earlier decisions of this Court viz. 1997 (8) SCC 386 para 37 - State of Maharashtra Vs. Rajendra Jawanmal Gandhi ; 2005 (2) SCC 686 para 10 - M.P. Lohia Vs. State of W.B. and Another ; 2010 (6) SCC 1 para 297, 298, 299, 301, 302, 303 - Sidhartha Vashisht @ Manu Sharma Vs. State (NCT of Delhi) and 2012 (10) SCC 603 para 12, 47, 50 - Sahara India Real Estate Corporation Limited and Others Vs. Securities and Exchange Board of India and Another.

After hearing the argument of the learned senior counsel appearing for the petitioner as well as the publication and news coverage which are enclosed with the present writ petition as well as the ratio laid down in various decisions, we are of the view that for the present there is no need to entertain the writ petition.

In view of various directions in the above referred cases, we hope and trust that the media both print and electronic would follow those guidelines.

With the above observation, the writ petition is disposed of. Petitioner is free to approach this Court if the ratio laid down by this Court is not adhered to by the reporting agencies.