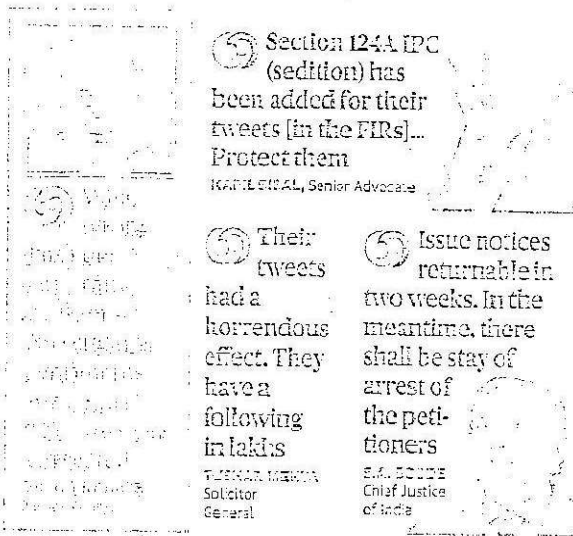


SC relief from arrest for Tharoor, senior journalists

They are facing charges of sedition



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The Supreme Court on Tuesday protected Congress leader Shashi Tharoor and six senior journalists from arrest in multiple sedition FIRs registered against them for allegedly tweeting and sharing unverified news that a young farmer died at the hands of the police during the tractor rally held on Republic Day.

A Bench, led by Chief Justice of India Sharad A. Bobde, stayed any coercive action or arrest against Mr. Tharoor, Rajdeep Sardesai, Anant Nath, Paresh Nath, Vinod K. Jose, Mrinal Pande and Zafar Agha. The Bench scheduled a hearing on merits after a fortnight.

Notices issued

The court issued notice to the States and law enforcement authorities, including the Centre, and the Uttar Pradesh and Delhi police. The Bench noted that the petitions were covered by

earlier decisions to protect Republic TV chief Arnab Goswami from arrest in a separate case.

"What wrong has been committed by them? No religious sentiments were hurt. The news was corrected," senior advocate Mukul Rohatgi, for Mr. Jose, submitted during the virtual hearing.

But Solicitor General Tushar Mehta said the tweets had a "horrendous effect".

"They have followings in lakhs," said Mr. Mehta, appearing for the Delhi police.

Initially, during the hearing, senior advocate Kapil Sibal, for Mr. Tharoor and some other petitioners, insisted on the court making it clear that there would be no coercive action against the petitioners. "Section 124A IPC (Sedition) has been added for their tweets [in the FIRs]... Protect them during the period of the notice," Mr. Sibal urged the court.

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SC protects Tharoor, journalists from arrest

"What is the danger?" Chief Justice Bobde asked him the reason for his apprehension of arrests.

"The investigation agency is in Delhi..." Mr. Sibal replied.

"So, are you going to arrest by the time we hear you?" Chief Justice Bobde asked Mr. Mehta.

Mr. Mehta said he was only appearing for one State. The FIRs were registered in multiple States, including Uttar Pradesh. This led the CJI to go ahead and indicate that a stay on arrest would be necessary.

However, Mr. Mehta indicated that, in time, in the case, he would be appearing for all the authorities concerned. "But what is the prejudice caused if such a statement is made [by the court]?" Mr. Sibal asked.

"We have stayed arrest," the CJI concluded the

discussion.

Mr. Tharoor and others had moved the Supreme Court against charges of sedition, promotion of enmity and criminal conspiracy levelled against them for posting "malafide, defamatory, false, and misleading" tweets accusing the Delhi Police of killing a farmer during the tractor rally on Republic Day.

The FIRs, registered by Delhi and Gurugram Police and Uttar Pradesh, accused them of posting instigating tweets and deliberately circulating fake news accusing the Delhi Police of the murder of a person driving a tractor during the violence on Republic Day.

"This was clearly done with an intent to engineer large-scale riots and religious tension among different communities," the Gurugram Police FIR read.