

ITEM NO.25

COURT NO.1

SECTION X

**S U P R E M E C O U R T O F I N D I A**  
**R E C O R D O F P R O C E E D I N G S**

**Writ Petition(s)(Criminal) No(s). 8/2023**

**LEENA MANIMEKALAI**

**Petitioner(s)**

**VERSUS**

**UNION OF INDIA & ORS.**

**Respondent(s)**

**IA No. 8671/2023 - EX-PARTE STAY**

**IA No. 8673/2023 - EXEMPTION FROM FILING O.T.)**

**Date : 20-01-2023 These matters were called on for hearing today.**

**CORAM : HON'BLE THE CHIEF JUSTICE**

**HON'BLE MR. JUSTICE PAMIDIGHANTAM SRI NARASIMHA**

**For Petitioner(s) Ms. Kamini Jaiswal, Adv.  
Ms. Indira Unninayar, AOR  
Ms. Mudrakshi, Adv.  
Ms. Rani Mishra, Adv.**

**For Respondent(s)**

**UPON hearing the counsel the Court made the following**  
**O R D E R**

- 1 Ms Kamini Jaiswal, counsel appearing on behalf of the petitioner submits that
  - (i) the petitioner is a graduate student at York University in Canada;
  - (ii) She has produced a short film titled "Kaali" depicting the Goddess;
  - (iii) there has been no intent to offend religious feelings; and
  - (iv) the object and purpose of the film was to depict Goddess 'Kaali' in an inclusive and all-encompassing form.

- 2 Ms Kamini Jaiswal, counsel states that FIRs have been filed against the petitioner arising out of the above short film in the States of Uttar Pradesh, Madhya Pradesh, Uttarakhand and in the National Capital Territory of Delhi.
- 3 The details of the FIRs are set out below:

<b>S No</b>	<b>FIR No</b>	<b>Date</b>	<b>Lodged at</b>
1	0239/2022	04.07.2022	PS Hazratganj, Uttar Pradesh
2	0481/2022	06.07.2022	PS Station Road Ratlam, Madhya Pradesh.
3	0110/2022	06.07.2022	Bhopal Crime Branch, Madhya Pradesh
4	0288/2022	08.07.2022	PS Annapurna, Indore, Madhya Pradesh
5	0213/2022	07.07.2022	PS Kankhal, Haridwar, Uttarakhand
6	0194/2022	04.07.2022	IFSO Unit, Special Cell Delhi.

- 4 As a result, it has been submitted that the petitioner is likely to be subjected to coercive proceedings arising out of the same film in diverse States. Moreover, a look out circular has been issued against the petitioner in Bhopal. The FIRs to which reference has been made above, are those which are within the knowledge of the petitioner.
- 5 At this stage *prima facie* it appears that the institution of FIRs in multiple states would be a matter of serious prejudice to the petitioner.
- 6 We are inclined to issue notice so that all the FIRs shall be consolidated in one and the same place in accordance with law. The petitioner would then be at liberty to pursue her remedies under Section 482 of the Code of Criminal Procedure 1973.

- 7 Issue notice returnable on 20 February 2023.
- 8 Liberty to serve the Central Agency in respect of the first and the second respondent and the Standing Counsel for the States of Uttar Pradesh, Madhya Pradesh and Uttarakhand and the National Capital Territory of Delhi. Service on Respondent Nos 7 to 11 shall be effected through the Station House Officer of the police stations concerned.
- 9 Pending further orders, no coercive steps shall be taken against the petitioner either on the basis of the FIRs which have been instituted against her, as noted above, or pursuant to any other FIR which may have been lodged or may be lodged hereafter in respect of the same film.

**(GULSHAN KUMAR ARORA)**  
**AR-CUM-PS**

**(SAROJ KUMARI GAUR)**  
**ASSISTANT REGISTRAR**