

Format C-1

(As per the judgement dated 25th September, 2018, of Hon'ble Supreme Court in WP (Civil) No. 536 of 2011 (Public Interest Foundation & Ors. Vs. Union of India & Anr.)

Name and address of candidate: **Rahul Gandhi**, 10 Janpath, New Delhi 110001

Name of political party: **Indian National Congress**

Name of Election **Lok Sabha General Election- 2024**

Name of Constituency: **36- Rae Bareli Parliamentary Constituency**

I, **Rahul Gandhi**, a candidate for the above mentioned election, declare for public information the following details about my criminal antecedents:

(A) Pending criminal cases

S. No.	Name of Court	Case No. and dated	Status of case(s)	Section(s) of Acts concerned and brief description of offence(s)
1	Not Available	FIR No. 240/2021 dated 09.09.2021 Delhi.	The Hon'ble High Court of Delhi in W.P. (C) 8210/2021 its order dated 24.01.2024 referred to the existence of the aforementioned FIR. The FIR per direction of the Hon'ble High Court is in sealed cover. I am therefore, not aware of the details of the FIR. I am also not aware of whether I am arraigned as an accused in this FIR. I am, however, disclosing its existence out of abundant caution.	SS. 228A IPC SS. 23(4) POCSO SS. 74 Juvenile Justice Act Alleged disclosure of identity of parents of minor rape victim girl on the Twitter handle of the candidate.
2	9 th Addl. Chief Metropolitan Magistrate Court, Nrupatunga Road, Bangalore City	FIR No. 0362/2022 dated 4.11.2022 Yeshwanthapura Police Station, Bengaluru City, Karnataka	Investigation was stayed in terms of order dated 16.12.2022 in Writ Petition No. 25123/2022 by Hon'ble High Court of Karnataka. On 28.6.2023 the Hon'ble High Court of Karnataka was pleased to dismiss the above writ petition.	Copyright Act u/s 63 IT Act u/s 66 and SS 34, 120B, 403, 465 IPC It is alleged against the accused that they have used song(s) that the Complainant had copyrights over in the social media/Twitter handle of Indian National Congress while covering a video of the Bharat Jodo Yatra.
3	Court of Metropolitan Magistrate 9th Court Bandra, Mumbai, Maharashtra	Complaint Case No. 311/SS/2023	WP/3011/2023 filed before the Hon'ble Bombay High Court challenging order dated 23.11.2019 rejecting the application for dismissal of Complaint on the ground that two separate offences cannot be tried together is pending.	SS. 499, 500 IPC Alleged defamation against RSS with reference to the murder of journalist Gauri Lankesh.
4	Special Court MP/MLA, Ranchi, Jharkhand	Complaint Case No. 1698/2018 (MP/MLA Case No. 16/2021)	The order dated 15.09.2018 passed in Cr. Revision No. 281/2018 by which the Magistrate was directed to take a fresh look on the materials available on record, after he had dismissed the complaint, was challenged in Cr. M.P. No. 4241/2018 before the Hon'ble High Court of Jharkhand at Ranchi and vide order dated 16.02.2024 the WP was dismissed.	SS. 499, 500 IPC Alleged defamation against Bharatiya Janata Party, its leaders, supporters and workers with reference to criminal antecedents of the President of the Party.
5	Court of Chief Judicial Magistrate, Kamrup (Metropolitan), Guwahati, Assam	Complaint Case C.R. 559/2016	Criminal Revision Petition No. 26/2023 was filed before the Additional District and Sessions Judge by Complainant challenging order dated 18.3.2023 passed by the learned Additional Chief Judicial Magistrate, Kamrup in C.R. Case No. 559/2016. The Criminal Revision Petition was allowed vide order dated 22.09.2023. The ACJM, Kamrup, Guwahati was directed to hear both parties afresh and pass fresh order.	SS. 499, 500 IPC Alleged defamation against RSS with reference to persons belonging to RSS not allowing the Accused to visit Barpeta Satra.
6	Court of the 3rd Jt Civil Judge, JD, JMFC, Bhiwandi, Maharashtra	Complaint Case SCC 2425/2014	1. WP ST/14290/2023 filed by the Accused challenging the admissibility of documents is pending before Hon'ble High Court of Bombay. 2. WP/799/2022 filed by the Complainant challenging order rejecting application for issuance of witness summons was rejected on 22.6.2022 by Hon'ble High Court of Bombay. 3. WP/376/2019 filed by the Complainant challenging application rejecting to mark the transcript copy as an Exhibit. Rejected vide Order dated 20/9/2021 by Hon'ble High Court of Bombay. 4. The summoning order dated 11.07.2014 passed by the Lt. J.M.F.C., Bhiwandi was challenged before the Hon'ble High Court of Bombay vide Criminal Writ Petition No. 4960 of 2014. Hon'ble High Court was pleased to dismiss the petition vide order dated 10.03.2015. Against the order dated 15.12.2014 an SLP Cr. No. 3749/2015 was filed before the Hon'ble Supreme Court, which was dismissed as withdrawn vide order dated 01.09.2016.	SS. 499, 500 IPC Alleged defamation against RSS with reference to association of members of RSS with the murder of Mahatma Gandhi.
7	Court of Ms. Tanya Bamniyal, ACMM-III, Rouse Avenue Courts, New Delhi	Complaint Case No. 18/2019	The summoning order dated 26.06.2014 was challenged before the Hon'ble High Court of Delhi vide Cr. M.C. No. 333 of 2014. The Hon'ble High Court was pleased to dismiss the petition vide order dated 7.12.2015. Against the order dated 07.12.2015 a SLP Cr. No. 1024 of 2016 was filed before the Hon'ble Supreme Court, which was disposed off vide order dated 12.02.2016, whereby all inferences and conclusions drawn by the High Court, on the various factual aspects in the matter were expunged and liberty was granted to raise all the issues before the trial court. Moreover, trial court proceedings have been stayed on 22.02.2021 by the Hon'ble High Court of Delhi on a 482 petition (Cr. M.C. No. 578/2021) filed by the Complainant. These is no charge and no conviction.	SS. 403, 406, 420 r/w 120-B IPC Private Complaint by Dr. Subramanian Swamy, former MP Rajya Sabha (former Member of BJP National Executive) regarding alleged conspiracy to criminally misappropriate and cheat the shareholders of M/s The Associated Journals Ltd. by M/s Young Indian and its Directors.

(A) Pending criminal cases

S. No.	Name of Court	Case No. and dated	Status of case(s)	Section(s) of Acts concerned and brief description of offence(s)
8	Court of Addl. Chief Metropolitan Magistrate 13, Ahmedabad, Gujarat	Criminal Case No. 29989/2019	Trial was stayed by the Hon'ble Gujarat High Court in terms of order dated 10.02.2021 in Special Criminal Application No. 1744/2021 filed by the complainant.	SS. 499, 500 IPC Alleged defamation case against Ahmedabad District Co-operative Bank and its Chairman on deposit of 750 crores during demonetization.
9	Court of Additional District & Sessions Judge 8th, Surat, Gujarat	Criminal Appeal No. 254/2023	A private criminal complaint was filed with regard to an alleged defamatory statement made by the Accused against the so called Modi Samaj under SS. 499, 500 IPC.	SS. 499, 500 IPC Alleged defamatory statement made by the accused against allegedly the so called Modi Samaj.
10	Court of Metropolitan Magistrate 16, Ahmedabad, Gujarat	Criminal Enquiry Case No. 36580/2019	Candidate-Accused was convicted and sentenced to Simple Imprisonment for 2 years on 23.03.2023. As it was a 2 year sentence hence service was suspended for 30 days by Chief Judicial Magistrate, Surat on 23 March 2023. 8th Additional Sessions Judge, Surat granted bail to the accused on 3 April 2023 and suspended the sentence of the Accused pending appeal vide order dated 20.04.2023. The order of conviction has been stayed vide order dated 4 August 2023 by Hon'ble Supreme Court in SLP (Crl.) No. 8644/2023 which is pending.	Pursuant to the Supreme Court order on 4 August 2023, Lok Sabha issued a notification dated 7 August 2023 canceling the "disqualification".
11	Special Judicial Magistrate MP/MLA Court, Patna, Bihar	Criminal Case Complaint (P) 1551/2019	Trial was stayed by the Hon'ble Patna High Court in terms of order dated 24.04.2023 in Special Criminal Misc No. 73323/2019.	SS. 499, 500 IPC Alleged defamatory statement made by the accused against allegedly all persons with surname Modi.
12	Special Court MP/MLA, Ranchi, Jharkhand	Complaint Case 1993/2019 (MP/MLA Case No. 17/2021)	1. Cr. M.P. No. 152/2020 u/s 482 of Cr.P.C. against summoning order before Hon'ble Jharkhand High Court. The petition was dismissed vide order dated 5.7.2022. 2. WP Cr. No. 302/2023 was allowed vide order dated 16.08.2023 exempting personal appearance by the Hon'ble High Court at Ranchi.	SS. 499, 500 IPC Alleged defamatory statement made by the accused against so called Modi clan.
13	Court of 40th Metropolitan Magistrate Girgaon, Mumbai, Maharashtra	Complaint Case CC No. 6200/SS/2021	Trial was stayed by the Hon'ble Bombay High Court in terms of order dated 22.11.2021 in Writ Petition No. 4391/2021.	SS. 499, 500 IPC Alleged defamation against Prime Minister Shri Narendra Modi.
14	Special MP/MLA Court, Chaibasa, Jharkhand	Complaint Case 229/2021	1. Cr.M.P. No. 1368/2022 u/s 482 of Cr.P.C. in Jharkhand High Court against summoning order is pending. 2. W.P. Cr. No. 230/2024 was filed challenging order dated 27.02.2024 passed by learned Magistrate, Chaibasa issuing NBW. Hon'ble High Court vide order dated 20.03.2024 stayed NBW for one month. 3. W.P.(Cr.) No. 276 of 2024 filed before the Hon'ble Jharkhand High Court and vide order dated 25.04.2024 it has been directed that further proceedings shall remain stayed.	SS. 499, 500 IPC Alleged defamation against Bharatiya Janata Party, its leaders, supporters and workers with reference to the President of the Party.
15	ACJM (Custom), Lucknow, Uttar Pradesh	Complaint Case No. 628/2018	The Hon'ble Court was pleased to dismiss the aforementioned private complaint vide order dated 26.09.2019. Criminal Revision 283/2022 was filed by the complainant and same is pending before Hon'ble ADJ, Court No. 14, Lucknow.	SS. 499, 500 IPC Alleged defamation of Prime Minister Shri Narendra Modi, Bharatiya Janata Party, its leaders and workers.
16	ACJM COURT NO.27, Lucknow Uttar Pradesh	Criminal Misc. Case No. 126818/2022	The Hon'ble Court was pleased to dismiss the aforementioned private complaint vide order dated 14.6.2023. Criminal Revision 547/2023 was filed by the complainant and same is pending before Hon'ble Special Court, MP/MLA Court No. 19, Lucknow.	SS. 499, 500 IPC Alleged defamation of Shri Vinayak Damodar Savarkar.
17	Special Court MP/MLA, Sultanpur Uttar Pradesh	Criminal Misc. Case No. 1943/2018	The matter is currently pending in the Special Court MP/MLA, Sultanpur where process was issued on 08.01.2024 and the accused was admitted to bail on 20.02.2024. A plea is yet to be recorded and the trial is pending.	SS. 499, 500 IPC Alleged defamation against Bharatiya Janata Party, its office bearers with reference to criminal antecedents of the President of the Party.
18	Chief Metropolitan Magistrate, Bengaluru, Karnataka	Complaint Case 7399/2024	Matter is currently pending before the Chief Metropolitan Magistrate, Bengaluru for service of other accused parties.	SS. 499, 500 IPC It is alleged that the accused have made false imputations against the ministers and office bearers of the Bharatiya Janta Party for having a rate card for appointment and transfer in important government posts.

(B) Details about cases of conviction for criminal offences

S.No.	Name of Court & date(s) of order(s)	Description of offence(s) & punishment imposed	Maximum Punishment Imposed
1	Complaint Case No. 18712/2019, Metropolitan Magistrate, Surat Order of conviction dated 23.03.2023	A private criminal complaint was filed with regard to an alleged defamatory statement made by the Accused against the so-called Modi Samaj under SS. 499, 500 IPC. I was convicted and sentenced to Simple Imprisonment for 2 years on 23.03.2023. As it was a 2 years sentence hence sentence was suspended for 30 days by Chief Judicial Magistrate, Surat on 23 March 2023. 8th Additional Sessions Judge, Surat granted bail to me on 3 April 2023 and suspended the sentence to me pending appeal vide order dated 3 April 2023. The order of conviction has finally been stayed by Hon'ble Supreme Court in SLP (Crl.) No. 8644/2023 vide order dated 4 August 2023. Pursuant to the Hon'ble Supreme Court order on 4 August 2023, Lok Sabha issued a notification dated 7 August 2023 canceling the "disqualification". And restored my Membership as Member of Parliament.	2 years

