

No. A-56015/4/2024-DM  
Government of India  
Ministry of Information & Broadcasting  
'A'-Wing, Shastri Bhawan, New Delhi  
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Dated: 08.05.2024

To,

1. Newspapers registered with the Registrar of Newspapers for India
2. All Private Satellite TV Channels
3. Publisher of news and current affairs content on digital media.

Subject:- Hon'ble High Court of Rajasthan, Jaipur Bench's Order dated 09.04.2024 passed in WP (CrI.) 727 of 2024 - Rajasthan Judicial Service Officers Association vs State of Rajasthan and Ors in - reg.

I am directed to enclose herewith a copy of Order dated 09.04.24 issued by Hon'ble High Court of Rajasthan, Jaipur Bench in WP (CrI.) No. 727 of 2024 - Rajasthan Judicial Service Officers Association Vs State of Rajasthan and Ors. Media organizations, including Newspapers, Private Satellite TV Channels and news and current affairs on digital media may ensure necessary compliance to the aforesaid Order and directions of the Hon'ble Court.

Encl: As above.

Yours faithfully,



(Kshitij Aggarwal)  
Deputy Director  
Tel:- 23073316

Copy to:

1. Self Regulatory Bodies of TV channels registered under the Cable Television Network (Amendment) Rules, 2021.
2. Self Regulatory Bodies under Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021.
3. The Associations/ Bodies of Electronic media.
4. Press Council of India (Kind attention: Smt. Sonia Malhotra, Deputy Secretary), CGO Complex, Soochana Bhawan, New Delhi with referre to print media.

RAJASTHAN HIGH COURT  
  
**HIGH COURT OF JUDICATURE FOR RAJASTHAN**  
**BENCH AT JAIPUR**

S.B. Criminal Writ Petition No. 727/2024

Rajasthan Judicial Service Officers Association

----Petitioner

Versus

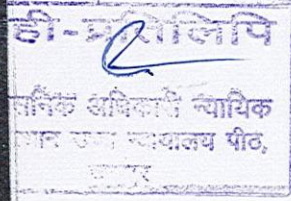
State of Rajasthan & Ors.

----Respondent

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For Petitioner(s)	: Mr. Deepak Chauhan Mr. Pratush Choudhary Mr. Rajendra Singh Mr. Ashok Choudhary Mr. Harsh Joshi
For Respondent(s)	: Mr. G.S. Rathore GA-cum-AAG with Mr. Santosh Singh Shekhawat Mr. Tayab Ali Mr. R.D. Rastogi Additional Solicitor General with Mr. Chandra Shekhar Sinha & Mr. Devesh Yadav

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**HON'BLE MR. JUSTICE ANIL KUMAR UPMAN**

Order

**09/04/2024**

1. While placing reliance on the Supreme Court judgment in the case of **U.P. Judicial Officers Association vs Union of India** reported in **1994 SCC (4) 687**, learned counsel representing the Rajasthan Judicial Service Officers Association (hereinafter referred to as 'the Association') submits that FIR No.129/2024 has been registered at Police Station Hindon, District Karauli, for offences under Sections 354(A) and 354(B) IPC and Sections 3(1) (w), 3(2)(va) and 3(2)(vii) of SC/ST (Prevention of Atrocities) Act against a member (judicial officer) of the Association, which is illegal and liable to be quashed. It is further submitted that FIR cannot be registered against a Judicial Officer in respect of

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anything allegedly done or purported to be done in the discharge of his duty or in his capacity as holder of such judicial office without permission of Chief Justice of the High Court concerned. He further submits that on bare perusal of the FIR, it is apparent that no case is made out under the provisions of SC/ST (Prevention of Atrocities) Act. It is also argued that that the impugned FIR has been registered under the influence of respondent No.7 Deputy Superintendent of Police, Hindon, District Karauli.

2. Per contra, learned GA-cum-AAG has raised a preliminary objection regarding maintainability of the instant writ petition. He submits that petitioner's Association has no locus in filing the instant criminal writ petition.

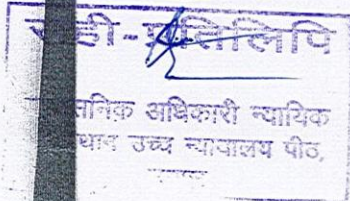
3. Matter requires consideration.

4. Issue notice to the respondents.

5. Mr. G.S. Rathore, learned GA-cum-AAG accepts notice on behalf of respondent Nos. 1, 3, 4, 5, 6 & 8. Mr. R.D. Rastogi, Addl. Solicitor General has put in appearance on behalf of respondent No.2. Thus, notice need not be issued to such respondents. Learned counsel for the petitioner is directed to supply copy of memo of writ petition to these respondents.

6. Let notice be issued to respondent Nos.7, 9 and 10 through both the process, returnable on the next date of hearing. Requisites be filed within a period of ten days, failing which, this petition shall stand dismissed without any further reference to the Bench.

7. Till next date of hearing, no coercive steps shall be taken against the accused (concerned judicial officer) in connection with



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FIR No.129/2024 registered at Police Station Hindon, District Karauli.

8. At this stage, while drawing attention of this Court towards some articles published in newspapers, learned counsel for the petitioner Association submits that the alleged incident is being published on electronic media as well as print media in a very sensational manner, which is tarnishing the image of judiciary in the eyes of common people. It is contended that incorrect and false facts are being published. He thus, prays that the electronic media as well as the print media may be restrained for covering the alleged incident during pendency of this writ petition.

9. Freedom of press or media refers to the rights given by the Constitution of India under the freedom and expression of speech in Article 19(1)(a). It encourages independent journalism and promotes democracy by letting the people voice their opinions but it does have reasonable restrictions under Article 19(2) to protect the safety of the people of the nation. There are certain restrictions in Article 19(2) to protect the nation and its integrity.

10. In this criminal writ petition, this Court is not dealing with the issue of freedom of press. However, at the same time, this Court cannot shut his eyes towards the fact that the alleged incident is being reported in media nation-wide and image of the judiciary is at stake. The investigation is going on in the matter and several legal aspects are yet to be dealt with. Thus, without making any comments/ observations on the freedom of press or media, this Court is of the considered opinion that there should be some reasonable check on covering of the instant case in media. Thus, it is expected from all the media houses (electronic as well



सचि-प्रतिलिपि  
प्रशासनिक अधिकारी न्यायिक  
राजस्थान उच्च न्यायालय पीठ,  
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as print media) that till pendency of the writ petition, they should not cover the case at hand in a sensational manner as it would tarnish and malign image of judiciary among the people.

11. List on 27.05.2024.

*[Redacted]*  
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(ANIL KUMAR UPMAN),J

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सही-प्रतिलिपि  
प्रशासक अधिकारी न्यायिक  
राजस्थान उच्च न्यायालय पीठ,  
जयपुर

20/5/24