



IN THE COURT OF THE LD. CHIEF METROPOLITAN MAGISTRATE

PATIALA HOUSE DISTRICT COURT, DELHI

C. C. No. OF 2018

IN THE MATTER OF:

Mr. Mobashar Jawed Akbar ... Complainant

Versus

Priya Ramani ... Accused

COMPLAINT UNDER SECTION 200 READ WITH SECTION 190 OF THE CRIMINAL PROCEDURE CODE, 1973, SEEKING PROSECUTION OF ACCUSED MS. PRIYA RAMANI FOR THE OFFENCE OF CRIMINAL DEFAMATION UNDER SECTION 499, PUNISHABLE UNDER SECTION 500 OF THE INDIAN PENAL CODE, 1860, FOR MAKING FALSE AND DEFAMATORY STATEMENTS IN THE PRINT/ ELECTRONIC MEDIA AGAINST MR. MOBASHAR JAWED AKBAR

MOST RESPECTFULLY SHOWETH:

1. That the present complaint is being filed and instituted by the complainant, against the Accused, seeking her prosecution and conviction, under Section 500 of the Indian Penal Code, 1860, for willfully, deliberately, intentionally and maliciously defaming the Complainant, on wholly and completely false, frivolous, unjustifiable and scandalous grounds and thereby, harming the goodwill and reputation of the Complainant, within the political fraternity, media, friends, family, colleagues and in society at large.
2. That the Complainant is an Indian politician, who is the Minister of State (MoS) for External Affairs and a Member of Parliament in the Rajya Sabha from Madhya Pradesh. He was

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inducted into the Union Council of Ministers by the Hon'ble Prime Minister in July, 2016. The complainant is also a veteran Indian journalist and author of several renowned books. The Complainant is married with two children.

3. The Complainant first served as an elected Member of Parliament between 1989 and 1991; thereafter, he was appointed as a national spokesperson during the 2014 general elections and in July, 2015, he was elected to the Rajya Sabha, from Jharkhand.
4. The Complainant also had a long career in journalism, he launched India's first weekly political news magazine, Sunday, in 1976, and two daily newspapers i.e . 'The Telegraph' and 'The Asian Age' in 1989 and 1994 respectively. He was also the Editorial Director of 'India Today'. The complainant was the Editor-in-Chief and then Editorial Director of 'The Sunday Gaurdian', a weekly newspaper that he founded. He has remained associated with leading media houses and periodicals in India including 'India Today', 'Headlines Today', 'The Telegraph', 'The Asian Age' and 'Deccan Chronicle,' among others.
5. The Complainant has, furthermore, authored several non-fiction books, including '*Nehru: The Making of India*', '*Kashmir Behind the Vale*', '*Riot After Riot*' and '*India: The Siege Within*', '*The Shade of Swords*', '*Blood Brothers-A Family Saga*', '*Have Pen*', '*Will Travel: Observations of a Globetrotter*', '*Tinderbox: The past and future of Pakistan*'.

6. That the Accused is a journalist, by profession.
7. That the present Complaint is being preferred against the Accused, for defaming and damaging the reputation of the complainant, in terms of Section 499 of the Indian Penal Code, 1860, by way of tweets, articles etc., published as well as distributed and disseminated at the behest of the Accused, in the print media as well as on online platforms such as Vogue Magazine, twitter, Firstpost etc. The Accused has made false, derogatory and malicious imputations against the Complainant, such as, *'I began this piece with my MJ Akbar story. Never named him because he didn't 'do' anything. Lots of women have worse stories about this predator -maybe they'll share', 'the media's biggest sexual predator.', 'How many more stories do you need to hear?', 'Am glad #MJAkbar won't be in the workplace any more but Akbar represents countless men who believe they can say and do whatever they want to women without any consequences.', 'You're an expert on obscene phone calls, texts, inappropriate compliments and not taking no for an answer'*, in order to defame the Complainant, with the sole ulterior motive of maligning the reputation and political standing of the Complainant, in furtherance of her own vested interests and underlying agenda.
8. That the accused herself, while putting forward the aforementioned defamatory statements, relating to incidents which allegedly occurred 20 years ago, simultaneously admits that the complainant has not done anything to her. It is pertinent to mention that the conduct of the Accused person, of

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not taking any action before any authority, qua the alleged incident against the Complainant also clearly belies the sanctity of the article and allegations made by the Accused person, which evidently goes on to prove that the said defamatory articles are only a figment of her imagination and are only intended to malign the reputation of the Complainant. Therefore, by way of the present Complaint, the Complainant seeks due and appropriate punitive action against the Accused, in terms of Section 500 of the Indian Penal Code, 1860.

9. The defamatory statements made by the Accused have, by her design, been circulated through electronic and print media, including but not limited to Vogue magazine, Twitter, Livemint, The Washington Post, Firstpost. Some of the said defamatory allegations, made in the article and tweets, are summarily given below, for the kind perusal and consideration of this Hon'ble Court:

<u>Date</u>	<u>Platform</u>	<u>Link</u>	<u>Defamatory Imputations</u>
October, 2017	Vogue India	https://www.vogue.in/content/harvey-weinsteins-open-letter-sexual-harassment/amp/?twitter_impression=true	Dear Male Boss, You taught me my first workplace lesson. I was 23, you were 43. I grew up reading your smart opinions and dreamt of being as erudite as you. You were one of my professional heroes. Everyone said you had transformed Indian journalism and I wanted to be on your team. So, we set a

<u>Date</u>	<u>Platform</u>	<u>Link</u>	<u>Defamatory Imputations</u>
			<p>time you could interview me at the plush south Mumbai hotel where you always stayed.</p> <p>It was 7pm, but that didn't bother me. I knew you were a busy editor. When I got to the lobby, I called you on the house phone. Come up, you said. Err really? Maybe that's how celebrity editors interviewed newbies, I thought. Back then I didn't have the confidence to say: <u>"No, I'll wait for you in the lobby, you pervert."</u></p> <p><u>Turns out you were as talented a predator as you were a writer.</u> It was more date, less interview. You offered me a drink from the mini bar (I refused, you drank vodka), we sat on a small table for two that overlooked the Queen's Necklace (how romantic!) and you sang me old Hindi songs after inquiring after my musical preferences. You thought you were irresistible.</p> <p>The bed, a scary interview accompaniment, was already turned down for the night. Come sit here, you said at one point, gesturing to a tiny</p>

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<u>Date</u>	<u>Platform</u>	<u>Link</u>	<u>Defamatory Imputations</u>
			<p>space near you. I'm fine, I replied with a strained smile. I escaped that night, you hired me, <u>I worked for you for many months even though I swore I would never be in a room alone with you again.</u></p> <p>All these years later the world has changed but your species is just the same. You still think it's your right to take your pick of the bright professional young women who enter YOUR workspace. <u>You whip out your tired tricks for a new batch of women every year. "Watch me shower." "Can I give you a massage?" "A shoulder rub?" "I'm ready for my blow job now." "Are you married?"</u></p> <p><u>You're an expert on obscene phone calls, texts, inappropriate compliments and not taking no for an answer. You know how to pinch, pat, rub, grab and assault.</u> Speaking up against you still carries a heavy price that many young women cannot afford to pay. Sometimes you are inconvenienced when the stories get out and you are asked to take a time out.</p>

<u>Date</u>	<u>Platform</u>	<u>Link</u>	<u>Defamatory Imputations</u>
			<p>Often, you are quickly reinstated. Why would you need to evolve, right?</p> <p>Sure, there are many male bosses who don't think of us as their personal harem, but I haven't met too many who are ready to stand up with us and call out your misogyny. It doesn't matter. There are more brave women now who are not scared to point out the monster in the suit.</p> <p>We'll get you all one day.</p> <p>Priya Ramani</p>
08.10.2018	Twitter	https://twitter.com/priyaramani/status/1049279608263245824	<p>I began this piece with my MJ Akbar story. <u>Never named him because he didn't "do" anything.</u> Lots of women have worse stories about this predator—maybe they'll share. #ulti</p> <p>https://www.vogue.in/content/harvey-weinsteins-open-letter-sexual-harassment/amp/#click=https://t.co/A2uHiJt9zd ...</p>
10.10.2018	Twitter	https://twitter.com/priyaramani/status/1050217581808775168	<p>Ten of us @_sabanaqvi @prernabindra @ghazalawahab @kadambarim @shutapapaul @suparnasharma @harinderbaweja @shumaraha @153anju <u>have painted you a clear portrait of</u></p>

<u>Date</u>	<u>Platform</u>	<u>Link</u>	<u>Defamatory Imputations</u>
			<u>media's biggest sexual predator. How many more stories do you need to hear? #MJAkbar</u>
13.10.2018	Twitter	<u>https://twitter.com/priyaramani/status/1051361254776983552</u>	This is a big victory for the #metoo movement but it cannot and should not end here. Am glad #MJAkbar won't be in the workplace any more but Akbar represents countless men who believe they can say and do whatever they want to women without any consequences

10. The said defamatory allegations made by the Accused person have been further published by various media agencies, links to some of the articles are mentioned herein under :-

- i. https://www.washingtonpost.com/news/global-opinions/wp/2018/10/10/an-actor-a-journalist-a-government-minister-who-is-next-to-fall-in-indias-metoo-wave/?noredirect=on&utm_term=.8136d14dd486
- ii. <https://www.livemint.com/Politics/tC6C0LrrYteOJvdD53FYCI/MJ-Akbar-facing-MeToo-heat-heads-to-Equatorial-Guinea.html>
- iii. <https://www.firstpost.com/india/metoo-mj-akbars-use-of-predatory-tactics-sexual-harassment-in-newsroom-14-women-share-their-ordeal-5359861.html>

11. That, while admitting that the Complainant has never done anything to her, the accused has intentionally put forward

malicious, fabricated, and salacious imputations to harm the reputation of the Complainant.

12. That whilst it is apparent that the Accused has resorted to a series of maliciously fabricated allegations, which she is diabolically and viciously spreading using media, it is also apparent that false narrative against the Complainant is being circulated in a motivated manner and for the fulfillment of an agenda.
13. That the scandalous allegations leveled by the Accused against the Complainant herein, by their very tone & tenor, are ex facie defamatory and have not only damaged the goodwill and reputation of the Complainant, in his social circles and on the political stage, established after years of toil and hard work, but have also affected the personal reputation of the Complainant in the community, friends, family and colleagues, thereby causing him irreparable loss and tremendous distress.
14. The Accused Person, by way of such publications, has caused great humiliation to the Complainant and his reputation has been severely tarnished in the eyes of the public as well as his family, friends, colleagues, political fraternity and associates; the defamatory statements of the Accused Person have, thereby, irreparably damaged the reputation and standing of the Complainant.
15. That the facts and circumstances stated hereinabove clearly reveal that the Accused has made and published highly damaging imputations against the

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Complainant herein, intending to harm and knowing that such imputation will harm, the reputation of the Complainant, resultantly having committed the offence of 'Defamation' as defined under Section 499 IPC and made punishable under Section 500 IPC.

16. It is further submitted that this Hon'ble Court has the jurisdiction to try the present complaint as the defamatory imputations made by the Accused Person were found widely circulated in media, including online forums, within the jurisdiction of P.S. Chanakyapuri. The defamatory imputations were viewed and read by various persons, including family members, friends and associates etc., residing within the said jurisdiction and after reading the aforesaid defamatory material, enquiries were made by associates, friends and relatives of the Complainant with regards to the said defamatory allegations. Moreover, the reputation of the Complainant has been diminished and tarnished in the estimation of various people residing in and around the Chanakyapuri Police Station. Thus, the cause of action arose within the jurisdiction of this Hon'ble Court; therefore, this Hon'ble Court has the jurisdiction to entertain and adjudicate the present complaint.
17. The Complainant has received a number of calls from his friends and colleagues, both from the media as well as the political sphere, inquiring about the allegations put forth in the false and defamatory statements of the Accused, thereby causing irreparable loss to his reputation.

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18. That the Complainant craves leave of this Hon'ble Court to lead evidence to prove his case through witnesses, a list whereof is attached herewith.
19. That the Complainant shall also rely on the documents in the present proceedings, a list whereof is attached herewith.
20. That this Complaint is made bonafide and in the interest of justice.

PRAYER

In view of the facts and circumstances narrated herein above, it is most respectfully prayed that this Hon'ble Court may graciously be pleased to:

- (a) take cognizance and issue process against the Accused for the commission of offence under Section 499 of the Indian Penal Code, 1860 and prosecute and punish the Accused Person in accordance with the provisions of law;
- (b) pass any such other or further orders as this Hon'ble Court may deem fit and proper in the facts and circumstances of the case and in the interest of justice.

COMPLAINANT
THROUGH COUNSELS

Sandeep Kapur
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DATE: 15-10-2018
PLACE: New Delhi