

**IN THE COURT OF SH. AMITABH RAWAT  
SPECIAL JUDGE-03(NDPS): SHD DISTRICT  
KARKARDOOMA COURTS: DELHI**

**CNR No. DLSH-01-00-3841-2020**

SC No. 132-2020

FIR No. 22/2020

P.S. Crime Branch

U/S. 124A/153A/153B/505 (2) of IPC and

Section 13 of Unlawful Activities (Prevention) Act

**State Vs. Sharjeel Imam**

15.03.2022

Present : Sh. Amit Prasad, Ld. Special Public Prosecutor for the State  
alongwith SI Vivek Malik on behalf of I.O/ACP Umesh Barthwal.

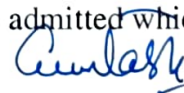
Accused Sharjeel Imam from JC with Ld. Counsel Sh. Talib  
Mustafa.

Case is today fixed for framing of charge.

The accused has been asked about the language in which charge has  
to be read to him. Accused submits that he is comfortable with both Hindi and  
English language. Charge has been read over and explained to the accused in  
English language. Accordingly, separate charge for the offence under  
Section 124A/153A/153B/505 (2) IPC read with Section 13 of UAPA has been  
framed against the accused Sharjeel Imam to which he has pleaded not guilty and  
claimed trial.

This is a case under Unlawful Activities (Prevention) Act (UAPA).  
Since the bail has been denied to the accused vide order dated 24.01.2022 and this  
Court had suggested that the trial of the case shall be completed expeditiously, the  
Court proposes to do day to day hearing this matter.

Ld. Counsel for accused as also Ld. Special Public Prosecutor  
submit that there might be many documents which will be admitted which would



( 2 )

reduce the time of trial.

Accordingly, put up for admission/denial of documents under Section 293 Cr.P.C on 21.03.2022.

At this stage, Ld. Counsel for accused submits that this matter may be fixed for 26.03.2022 as he would be traveling through the entire next week.

Hence, at request, now to come up for admission/denial of documents under Section 293 Cr.P.C on 26.03.2022 and for prosecution evidence on 28.03.2022 & 29.03.2022.

Let material witnesses be summoned first for next date. I.O along with MHC(M) and the SHO concerned shall be present on the next date.

Copy of this order alongwith copy of charge be e-mailed to Ld. Counsel for accused, Ld. Special Public Prosecutor as also to Investigating Officer.

  
(Amitabh Rawat)  
Addl. Sessions Judge-03

Shahdara District, Karkardooma Courts,  
Dated: 15.03.2022

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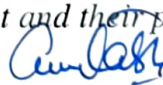
**CHARGE**

I, Amitabh Rawat, Additional Sessions Judge-03, Shahdara District, Karkardooma Courts, Delhi do hereby charge you following accused **Sharjeel Imam** S/o Late Akbar Imam, R/o VPO-Kako, PS-Kako, District-Jahanabad, Bihar, as under :-

That you accused Sharjeel Imam on 13.12.2019 at Jamia Milia Islamia University in Delhi, on 16.01.2020 at Aligarh Muslim University in Uttar Pradesh, on 22.01.2020 at Asansol in West Bengal and on 23.01.2020 at Chakand Gaya in Bihar, gave speeches and some extracts of said incriminating speeches are as under :-

**JAMIA MILIA ISLAMIA ON 13.12.2019**

*Muslims have been driven out and their property confiscated*

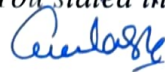


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( 2 )

from 1955 to 1995 and the numbers are in lakhs. The Muslim population of Tripura has been driven out. You then draw reference to Quran. You further stated that your desire is to see chakka-jam in Delhi and that platform of 100-200 Muslim students has been created. You openly stated that Indian Muslims can do chakka-jam in 500 cities in India but there are certain road blocks in this. You then asked a question whether Muslims do not have that standing to close down cities of North-India to which the immediate reply was 'bilkul (yes)'. You apprised the crowd that Indian Muslims reside in cities where its population is more than 30% and stated that despite being such percentage demographically, why the cities are running as normal. You asked Muslims to fight if somebody is trying to turn them away by making reference to Quran. You do not want secularism to be spoken or practiced. Then, you talked about fascism, being bandied about and told that this 'dastoor' (law or tradition) allows fascism from the very beginning. You told that whether it is cow protection, definition of Hindu or manner of elections, it shows that the Constitution itself is fascist but you should take the help of these in Courts. However, it cannot be the last resort for you all. You then talked about constitutionality and state that meaning of constitutionality is that people will not be killed or property burnt. You stated that they can



Contd...3



( 3 )

*disrupt (life) which is not a difficult thing if they organize themselves. You stated that you and others are distributing pamphlets in Masjids for the last two weeks and will continue to do so. You then go on to explain the importance of Delhi and how an incident in Delhi would result in a wide scale coverage worldwide. You tried to tell people about not reposing faith in any of the political parties. You asked the listeners to form groups and sub-groups and to carry out chakka-jam. You then uses a reference to the leadership position of Iqbal Ahmed to drive home his point that leaders can emerges out of a situation. You stressed again the need for chakka-jam as the goal and told that water supply, milk supply should be stopped in Delhi and then stated that 55,000 people are in detention camp. You concluded you speech by reading a couplet in the context of 1946 Bihar Riots which again is a reference to Islam religion.*

**ALIGARH MUSLIM UNIVERSITY, U.P ON 16.01.2020**

*You state that you had come there on 10<sup>th</sup> & 11<sup>th</sup> December and you had talked about blockade of roads and ideas of secularism. In your speech, you again shared yours ideas casting doubts about secularism in India. You told that if India was to be secular, then scheduled castes would have been Muslims. You again repeated the*

*Amulab*

Contd...4

*Sh. Iqbal*

( 4 )

*idea that India is not truly secular or democratic and gave cow protection as one of the examples. You termed the Constitution of India as a document by the Pandits and stated that educated Brahmins are very dangerous as against uneducated. You then stated that the idea of India is a construct upon the grave of Muslims and it is essentially a unification project by the Pandits.*

*You talked that lynching has been happening for the last hundred years but it is only now being reported. You then talked of Kashmir issue, Triple Talaq issue, Ayodhya-Babri issue and also now CAA/NRC. You then proposed a theory that everyone talks about sensitization, awareness but nobody has the plan of action. You then disclosed your plan of action-when critical mass of people had been assembled; then what all can be done and what should be got done from them. You talked about the events in Delhi from 5<sup>th</sup> to 15<sup>th</sup> December 2019 and then disparages the peaceful mode of protest by political personalities. You acknowledged violence at Jamia. You then rallied everyone to say that they will have to close down India and which they are capable of. You then talked about Shaheen Bagh and that political parties of all hues are of no use. You also stated that non-Muslims are not allies and they are lying and if they were truly allying with us, then Delhi would have been closed. You stated that the*

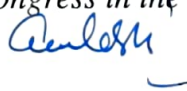
*Amalath*

Contd...5

*Sh. Jadhav*

(5)

argument that a lot of citizens are being inconvenienced due to chakka-jam, is in fact our achievement. You talked about the polarization done by both BJP and the Congress alike in Muzaffarnagar where the two have got the riots done. You talked about highways being closed and properties being damaged. You indeed talked about cash not being taken in your struggle. You talked about ABVP and CPM as being violent and quotes Kerala and Bengal. You also then talked that if 05 lakhs people were to get organized, then North-East and India can be permanently cut off and if not, then at least for a few months. You exhort people to block the roads to cut-off Assam and India and again raised the issue of detention camp. You stated that 'chicken-neck' belongs to Muslims and all the supplies to Army in the North-East should be cut-off. You talked about CAA and State sponsored violence over the last 70 years. You termed Legislation, Judiciary and Executive as working against the interests of Muslims. Even extreme nationalism is termed as Hindu nationalism and which grew under the tutelage of Gandhi. You also ridiculed all those Muslims who are with the Pandits. You then criticized historian Irfan Habib and other such historians who might have written history expecting something from the Congress in return. You told people that Muslims have never supported the Congress in the



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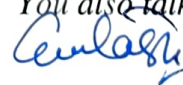


( 6 )

entire history except after 1947 when it became a necessity because Muslim League leaders left to join Congress. You then ridiculed the cow protection and this support from some Muslims. You then gave reference to the necessity of cow killing and stated that they will never stop cow killing. You then talked about Deobandis. You stressed the need to do Namaz five times a day and stated that it is their right to do it where ever they are standing. It is part of their daily schedule and they will not go to Masjid if it is at some distance away. Then you talked about university and the need to organize themselves.

**ASANSOL, WEST BENGAL ON 22.01.2020**

You asked if Muslims have come on road for CAA & NRC only. You talked about Triple Talaq issue, property issue and Kashmir issue. You talked about the repercussions after the 1971 War between India and Pakistan and migration consequent to it and termed it as a international problem. You talked about detention camps, and the need to burn it, should they be sent there. You stressed the need to create 15-100 Shaheen Bagh and stated that if by wishes of God, it is successful then Hindustan would be closed and they will be brought to their knees. Muslims have not closed down India in the last 70 years and now they will do it and do it completely. You also talked about



Contd...7



(7)

*problems faced by ordinary people/citizens due to highway closing at Shaheen Bagh, which you termed it as a success. You asked them to get organized. You end the speech again with a reference to a couplet in the context of Bihar Riots or attacks on Muslims in 1946 drawing reference to the religion Islam.*

**CHAKBAND, GAYA, BIHAR ON 23.01.2020**

*You mentioned and talked of CAA & NRC. You stated that the Citizenship Amendment Act has come and it is an attack on Muslims. Muslims will be put in the detention camps and the Courts will do nothing. In four weeks, the government would have put 10-20 thousands Muslims in detention camps and the work is going on in this regard. You lauded the efforts in Shaheen Bagh where highway has been blocked, Petrol Pump made vacant, show-rooms closed and every citizen living in Noida reaching home at least four hours late. You complimented this as your achievement that you have blocked the traffic for one and half months in Delhi. You then went on to say that over the last 70 years, Home Ministry, Army have been ridiculing them. You then stated that they should sit on the highways and not get up till detention camps are closed. You asked rhetorically to the crowd what will happen if detention camps are created in Bihar and what will*

*Arundhan*

Contd...8

*Arundhan*

( 8 )

*they do when the ladies from the houses are taken away and then replies that you will have to burn those detention camps. You then stated that this is happening in Assam. You were asking the crowd to accept only those who have a plan of action. You stated that you would term it as a victory only if hundreds Shaheen Bagh are created. They have to jam the roads and close the highways in the next four weeks. You also stated that there are two crore Muslims in Bihar and even if some non-Muslims join us then what is there that they can't do. You stated that these things were tried in Old Delhi and Seelampur in Delhi. You did state that they don't have to throw stones or pick sticks but they have to close down India. Later, you stated that it is very easy for them to block 5-10 highways. They will not let the goods travel and they will paralyze the government. You then stated that there are many loopholes in CAA and in fact, the law should have allowed Rohingya Muslims from Burma and Muslims from Sri Lanka to be covered by the law. You also stated that Assam is burning and government cannot create havoc in Delhi because of the media.*

The aforesaid speeches and pamphlets which then resulted in violence in Delhi and consequent to which FIR No. 298/2019, P.S Jamia Nagar, FIR No. 242/2019, P.S New Friends Colony, FIR No. 510/2019 & 512/2019, P.S. Dayal Pur, FIR No. 535/2019, P.S

*Abulhasan*

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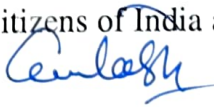

*Abulhasan*

( 9 )

Seelampur, FIR No. 699/2019, P.S Jafrabad, FIR No. 816/2019, P.S Seema Puri, FIR No. 760/2019, P.S. Nand Nagri, FIR No. 250/2019, P.S. Darya Ganj and elsewhere were registered and you thus, brought into hatred or attempted to bring into hatred or to excited or attempted to excite dissatisfaction towards the government established by law in India, and thus, you committed an offence punishable under Section 124A IPC within the cognizance of this court.

That you accused Sharjeel Imam, gave speeches as aforesaid and also distributed pamphlets at Delhi and elsewhere, promoted or attempted to promote, on grounds of religion, a feeling of enmity, hatred and ill-will between two communities i.e. Hindus and Muslims or act which was prejudicial to the maintenance of harmony between the said two communities and which was likely to disturb public tranquility and thus, you thereby committed an offence punishable under Section 153-A IPC within the cognizance of this court.

That you accused Sharjeel Imam, gave speeches as aforesaid and also distributed pamphlets at Delhi and elsewhere asserted/propagated that Muslims shall by reason of their being member of that community has been denied/deprived of their rights as citizens of India and thus,



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(10)

you thereby committed an offence punishable under Section 153-B IPC within the cognizance of this court.

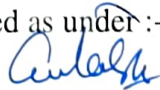
That you accused Sharjeel Imam gave speeches as aforesaid and also distributed pamphlets at Delhi and elsewhere with intent to cause or likely to cause fear or alarm to the public or any section of public whereby any person may be induced to commit an offence against the State or against public tranquility or which is likely to incite any community of persons to commit any offence against any other community and thus, you thereby committed an offence punishable under Section 505 (2) IPC within the cognizance of this court.

I hereby direct that you be tried on the above said charges.

  
(Amitabh Rawat)

Additional Sessions Judge-03  
Shahdara District/KKD Court/Delhi/15.03.2022

Charge has been read over and explained to the accused in English language and he is questioned as under :-



Contd...11



( 11 )

Question put up to accused Sharjeel Imam :-

Q. Have you understood the charge?

A. Yes.

Q. Do you plead guilty or claim trial?

A. I plead not guilty and claim trial.

RO & AC

*Shyju Imam*

*Amitabh Rawat*  
(Amitabh Rawat)

Additional Sessions Judge-03

Shahdara District/KKD Court/Delhi/15.03.2022

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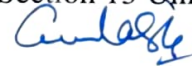
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**CHARGE**

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Contd...2



( 2 )

Activities (Prevention) Act within the cognizance of this court.

I hereby direct that you be tried on the above said charges.

  
(Amitabh Rawat)

Additional Sessions Judge-03  
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Charge has been read over and explained to the accused in English language and he is questioned as under :-

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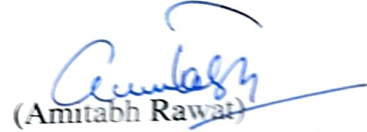
A. Yes.

Q. Do you plead guilty or claim trial?

A. I plead not guilty and claim trial.

RO & AC



  
(Amitabh Rawat)

Additional Sessions Judge-03  
Shahdara District/KKD Court/Delhi/15.03.2022