

Format C-7
(for political parties to publish in
the newspapers, social media platforms & Website of the party)

Information regarding individuals with pending criminal cases, who have selected as candidates, along with the reasons for such selection, as also as to why other individuals without criminal antecedents could not be selected as candidates

(As per the Commission's directions issued in pursuance of the Order dated 13.02.2020 of the Hon'ble Supreme Court in contempt petition (C) no.2192 of 2018 in WP(C) no.536 of 2011)

Name of Political Party: **INDIAN NATIONAL CONGRESS**

Name of the Election : **HOUSE OF THE PEOPLE 2024**

Name of State : **KERALA**

(1) Name of the Constituency: 4-Wayanad

Name of the Candidate : **Rahul Gandhi**

| Sl.No: | | | |
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| 1. | Criminal antecedents | | |
| | a. | Nature of Offences | 1.SS. 228A IPC; SS. 23(4) POCSO; SS. 74 Juvenile Justice Act 2.Copyright Act u/s 63, IT Act u/s 66 SS 34, 120B, 403 465 IPC 3.SS 499,500 IPC 4. SS 499,500 IPC 5.SS 499, 500 IPC 6.SS 499,500 IPC 7.SS 499,406,420 r/w 120-B IPC 8.SS 499,500 IPC 9. SS 499,500 IPC 10. SS 499,500 IPC 11. SS 499,500 IPC 12. SS 499,500 IPC 13. SS 499,500 IPC 14. SS 499,500 IPC 15. SS 499,500 IPC 16. SS 499,500 IPC 17. SS 499,500 IPC 18. SS 499,500 IPC |
| | b. | Case no. | 1.FIR No.240/2021 2.FIR No.0362/2022 3.Complaint Case No.311/SS/2023 4.Complaint Case No. 1698/2018 5.Complaint Case CR 559/2016 6.Complaint Case SCC 2425/2014 7.Complaint Case No.18/2019 8.Criminal Case No.29989/2019 9.Criminal Appeal No.254/2023 10.Criminal Enquiry Case No.36580/2019 11.Criminal Case Complaint (P) 1551/2019 |

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| | | | 12.Complaint Case 1993/2019 13.Complaint Case CC No:6200/SS/2021 14.Complaint Case 229/2021 15.Complaint Case 628/2018 16.Complaint Case 126818/2022 17.Criminal Misc.Case No.1943/2018 18.Complaint Case 7399/2024 |
| | c. | Name of the Court | 1.Not Available 2.Yeshwanthapura PS Bengaluru City, Karnataka 3. Metropolitan Magistrate 9 th Court, Bandra, Mumbai, Maharashtra 4.Special Court MP/MLA, Ranchi, Jharkhand 5. Chief Judicial Magistrate. Kamrup (Metropolitan), Guwahati, Assam 6.Court of 2 nd Jt Civil Judge, JD, JMFC, Bhiwandi, Maharashtra 7.Court of Ms.Taniya Bamniyal, ACMM-II, Rouse Avenue Courts, New Delhi 8.Addl.Chief Metropolitan Magistrate 13, Ahmedabad, Gujarat 9.Addl.District & Sessions Judge 8 th , Surat, Gujarat 10. Metropolitan Magistrate 16, Ahmedabad, Gujarat 11.Chief Judicial Magistrate, Patna, Bihar 12.Special Court MP/MLA, Ranchi, Jharkhand 13.Court of 40 th Metropolitan Magistrate, Girgaon, Mumbai, Maharashtra 14.Special Court MP/MLA, Chaibasa, Jharkhand 15.ACJM(Custom), Lucknow, Uttar Pradesh 16.ACJM No.27, Lucknow, Uttar Pradesh 17.Special Court MP/MLA, Sultanpura, Uttar Pradesh 18.Chief Metropolitan Magistrate, Bengaluru, Karnataka |
| | d. | Whether charges have been framed or not Yes/No: | 1.to 8. No. 9.Yes, 10. to 18. No |
| | e. | Date of conviction, if any | 9.23.03.2023 |
| | f. | Details of punishment undergone, if any | 9.No. Stay of Sentence vide order dated 03.04.2023 by the Hon'ble District & Sessions Judge at Surat. Hon'ble Supreme Court vide order dated 04.08.2023 suspended the conviction in SLP No.8644/2023 |
| | g. | Any other information required to be given | 1.No 2. 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. 3. 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 2 separate offences cannot be |

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| | | <p>tried together is pending.</p> <p>4. 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.</p> <p>5. 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</p> <p>6. 1. WP ST/14290/2023 challenging the process issued against the Accused - Pending 2. WP/799/2022 filed by the Complainant challenging order rejecting application for issuance of witness summons was rejected on 26.6.2022 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 Ld. J.M.F.C, Bhiwandi was challenged before the Hon'ble High Court of Judicature at Bombay vide Criminal Writ Petition No. 4960 of 2014. The Hon'ble High Court was pleased to dismiss the petition vide order dated 15.12.2014. Against the order dated 15.12.2014 an SLP CrI. No.3749/2015 was filed before the Hon'ble Supreme Court, which was dismissed as withdrawn vide order dated 01.09.2016.</p> <p>7. The summoning order dated 26.06.2014 was challenged before the Hon'ble High Court of Delhi vide CrI. M.C. No. 3333 of 2014. The Hon'ble High Court was pleased to dismiss the petition vide order dated 07.12.2015. Against the order dated 07.12.2015 a SLP CrI 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</p> |
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| | | <p>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 (Crl.M.C. No. 578/2021) filed by the Complainant. These is no charge and no conviction.</p> <p>8. Trial was stayed by the Hon'ble Gujarat High Court in terms of order 10.02.2021 in Special Criminal Application No. 1744/2021 filed by the complainant</p> <p>9. Convicted for the offences punishable under Sections 499/500 of Indian Penal Code and sentenced to undergo S.I. for twoyears vide judgment of conviction and order of sentence dated 23.03.2023, passed by the Ld. CJM, Surat in Criminal CaseNo.18712/2019. A Criminal Appeal No. 254/2023 filed before the Hon'ble PrincipalDistrict and Sessions Judge at Surat and the same was admitted on 03.04.2023 dispensing. The Hon'bleCourt was pleased to suspend the sentence vide order dated 03.04.2023. Hon'ble Supreme Court vide order dated 4.8.2023 suspended the conviction in SLP no. 8644/2023.</p> <p>10. Trial was stayed by the Hon'ble Gujarat High Court in terms of order dated 24.02.2021 in Special Criminal Application No. 2010/2021 filed by the complainant.</p> <p>11. 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.</p> <p>12. 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.</p> <p>13. Trial was stayed by the Hon'ble Bombay High Court in terms of order dated 22.11.2021 in Writ Petition No. 4391/2021.</p> <p>14. 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</p> |
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| | | <p>one month.</p> <p>15.The Hon'ble CJM Court was pleased to dismiss 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.</p> <p>16. The Hon'ble CJM Court was pleased to dismiss aforementioned private complaint vide order dated 16.06.2023. Criminal Revision 547/2023 was filed by the complainant and same is pending before Hon'ble Special Court, MP/MLA Court No. 19, Lucknow.</p> <p>17.No.</p> <p>18.No</p> |
| 2 | The reasons for the selection of the candidate selection shall be with reference to the qualifications, achievements and merit of the candidate, and not mere “winnability at the polls (not more than 100 words) | The candidate has a long and distinguished political and electoral track record. He has – in the past – served as a consecutive four term MP from two different states and as General Secretary, Vice President and later President of the Indian National Congress. The candidate has deep organisational, political and electoral experience. |
| 3 | Reasons as to why other individuals without criminal antecedents could not be selected as candidates (not more than 100 words) | The cases filed are politically motivated cases by BJP/RSS members where, in the vast majority, even charges have not been framed. Moreover as a senior party leader (former National President) with wide and deep experience no other individuals with commensurate experience could be identified. |

(2) Name of the Constituency: 4-Wayanad

Name of the Candidate : Rahul Gandhi

**Name and designation :M.M.Hassan
Acting President, Kerala Pradesh Congress Committee**