

Bhau Shankarrao Suradkar and another Vs State of Maharashtra and others

Court: Bombay High Court (Aurangabad Bench)

Date of Decision: June 11, 1998

Acts Referred: Penal Code, 1860 (IPC) â€” Section 295

Citation: (2000) 5 BomCR 116 : (1999) CriLJ 1230

Hon'ble Judges: V. K. Barde, J; B. B. Vagyan, J

Bench: Division Bench

Advocate: C. V. Thombre, for the Appellant; Smt. Geeta Deshpande, Assistant Public Prosecutor, for the Respondent

Judgement

@JUDGMENTTAG-ORDER

V. K. BARDE, J.

Heard Shri C.V. Thombre, learned Counsel for the petitioners and Smt. Geeta Deshpande, learned Additional Public Prosecutor.

2. The petitioners have contended that the photographs of God and Goddesses of Hindu religion are being printed on the coverings of the fire

crackers and when the fire crackers are fired, those photographs are destroyed and this causes mental agony to the persons from Hindu

community and, therefore, the manufacturers of the fire crackers be directed not to affix photographs of God and Goddesses of Hindu religion on

the fire crackers.

3. It is a fact that photographs of God and Goddesses of Hindu religion are being pasted on the fire crackers. This is not happening for the first

time, but this practice is going on since last many years and up-till-now nobody has raised any objection regarding this practice. That has happened

only because nobody thought it objectionable, nobody's feeling were hurt on seeing the firecrackers bursting and the photographs destroying

because the photographs on the fire crackers were not being looked at as photographs of God and Goddesses but just some prints to attract the

attention of the customers. There was no intention that anybody's feeling should be hurt by selling such fire crackers or by bursting such fire

crackers. Now altogether new dimension is being given to this matter. Nobody from Hindu community up-till-now has thought over on this issue in

this way. It is just whim of the petitioners and for that they have come before the Court. This is nothing but wasting time, money and energy.

4. Photographs of God and Goddesses, and for that matter, other respectable National Leaders, are being printed everyday in different

newspapers and everybody knows that the life of the newspaper is hardly for 24 hours and thereafter it becomes waste paper and those

photographs on the newspapers go to the dustbin in majority of the cases without anybody considering that there are photographs of God and

Goddesses of Hindu religion or photographs of National Leaders because the matter is never looked at from that point of view.

5. Whenever invitation cards of marriages or other ceremonies being performed by Hindu persons, photographs of God and Goddesses are

printed on these invitation cards and once the purpose of the cards is finished, those cards also go to the dustbins, with them the photographs

printed on them. Here also nobody's feelings are hurt by saying that the photographs of God and Goddesses are being thrown in dustbins along

with other rubbish matters.

6. If the analogy which is being applied by the petitioners for the photographs which are being affixed on the fire crackers is to be applied to all the

photographs which are being printed in the newspapers and invitation cards as mentioned above, such printing will have to be stopped and that is

nothing but impracticable illogical approach to the matter.

7. If anybody from the petitioners feels that by bursting the fire crackers on which there are photographs of God and Goddesses, he may stop

himself using such fire crackers for his own purposes because only his feelings are being hurt, but he should not take the matter in his hands as if he

is representing whole of the society when whole of the society is not looking to the matter from that point of view.

8. The petitioners here should have utilised their time, money and energy for some constructive social work which would have helped the society at

large. For filing such frivolous writ petition, we actually intend to impose heavy costs on the petitioners. However, the learned Counsel for the

petitioners states that the petitioners have taken hint from this matter and they would not indulge in such activities henceforth.

9. Hence, the writ petition is being dismissed in limine.

Writ petition dismissed.