

LAWCHAKRA.IN

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SPEED POST/EMAIL/WHATSAPP

Without Prejudice

LEGAL NOTICE

MS. ATISHI MARLENA

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Dear Madam,

Under the instructions of and on behalf of my client **Shri Praveen Shankar Kapoor**, Spokesperson and Media Head, Delhi BJP, 14, Pandit Pant Marg, Delhi 110001, I, the undersigned, issue the following legal notice to you, the *noticee* in an unequivocal terms for giving false, fabricated, and manipulated statements with a *malafide* intention to lower the reputation of my client in the estimation of the general public.



1. That my client is a senior leader of the Bharatiya Janata Party (BJP). From his earlier career, he has been continuously working for the Bharatiya Janata Party (BJP) in various departments and he has held various positions in BJP in the past. He is identified as a BJP man for his long association with the BJP. His reputation is linked with the reputation of the BJP and any dent to the party's reputation is perceived by its followers as lowering of my client's reputation. BJP is one of the largest cadres based democratic party of the world and owes allegiance to the Constitution of India. Following of democratic traditions are core to the constitution of the Party and such traditions are followed all across, both at party level and by the Governments run by BJP.
2. That today i.e. on 02.04.2024, you, the Noticee, held a Press Conference in which you have deliberately and with malicious intent made statements which are not only false, scandalous, concocted and illusionary, but defamatory to harm the reputation of BJP but also of its members. In the entire speech, you have neither revealed specific information about the source of information nor you have given any details qua the act of BJP. Devoid of any specifics your statement is an intentional endeavor to reflect your own imagination and apprehension. To call for a press conference and specifically name the Bharatiya Janata Party (BJP) without disclosing the



nitty-gritties portrays your malafide intentions to demean the reputation of the BJP and my client.

3. That today, in the press conference held by you, you made the following statements:

- a. That you were told by one of your very close person to join the Bharatiya Janata Party (BJP). You further made a statement that you were told either you join the Bharatiya Janata Party (BJP) and save your political career and pursue it there, and if you are not willing to join the Bharatiya Janata Party (BJP), then within the upcoming one month, you would be arrested by the Enforcement Directorate (ED).
- b. That further you made a statement that you were apprised that the Hon'ble Prime Minister and the Bharatiya Janata Party (BJP) has made up their mind to crush the Aam Aadmi Party (AAP) and their leaders. At first, they arrested and threw all the tall leaders of the Aam Aadmi Party. First, they arrested Satyender Jain, then Manish Sisodia was arrested, then Sanjay Singh was arrested and now, Delhi's Chief Minister Arvind Kejriwal has been arrested. Now, it is the intention of the Bharatiya Janata Party that in the upcoming two months, BJP wants to arrest other four leaders of the Aam Aadmi Party (AAP). You said that BJP will arrest you, then they will arrest Saurabh



Bhardwaj, then, they will arrest Durgesh Pathak and then they will arrest Raghav Chaddha. You stated that it was expected by the Bharatiya Janata Party that after the arrest of Arvind Kejriwal, the Aam Aadmi Party (AAP) will be demolished and the morale of the Aam Aadmi Party (AAP) will go down because all the senior leaders of the Aam Aadmi Party (AAP) are in jail or custody.

- c. That you went on to allege that after the Sunday's rally at Ramlila Maidan -where lakhs and lakhs of people came from all over the country, and with the ongoing struggle of the Aam Aadmi Party (AAP) workers on the street, Bharatiya Janata Party (BJP) is thinking that it is not sufficient to arrest top four senior leaders of the Aam Aadmi Party (AAP) and in the upcoming time, BJP will arrest further four top senior leaders.
- d. That you, the Noticee, said that you, Saurabh Bhardwaj, Durgesh Pathak and Raghav Chaddha will be thrown inside the jail. You, the Noticee, added that you were told that in the upcoming days, there will be an ED raid at your residence, and not only at your residence, but also at your relatives' residence and then summons would be send to all of you and after some days of summon, you all will be arrested.



4. That it is matter of record that the persons belonging to your party have been arrested by the investigating agencies and they have all been remanded to either Police Custody or Judicial Custody by the Ld' Courts and the said actions of the investigating agencies have been validated not only by the Ld' Trial Court but also by the Hon'ble High Court & Hon'ble Supreme Court of India as part of the established judicial / legal process.
5. That it appears that it has become a habit of the leaders / workers of your party to side step the main issues by every time alleging that BJP has been attempting to poach your MLAs / leaders by promising to pay huge amounts of monies. None of such allegations have been ever substantiated through any cogent evidence.
6. By such kind of malicious / scandalous statements you and your colleagues defame BJP and its members and try to gain political mileage by use of platform of press conferences to make such false statements knowing fully well that all social media platforms would carry such news as you are not only an MLA but a Minister in the Govt of NCT of Delhi. Further such coverage is then retweeted / forwarded by your colleagues and others at your behest and connivance.
7. That by making such statements you admit & acknowledge commission of an illegal act punishable under the Prevention of Corruption Act, but



thereafter you never comply with the statutory requirements under the said act thus making yourself liable for commission of offence under the said Act. Same is the case with regard to your statement made today i.e. 02.04.24.

8. That the reputation of my client has been tarnished before all the viewers - who watched such telecast today. In addition, such video of your interview is also uploaded in the YouTube by various channels -which is being viewed by many and the cause of action is continuous in nature.
9. That you by telecasting the aforesaid imputation concerning my client intending to harm, or knowing or having reason to believe that such imputation will harm his reputation, you have defamed my client. It is directly lowering his moral character in the estimation of others. Moreover, it seems there is a larger conspiracy, and you are acting in furtherance to the said criminal design.
10. That since the press conference, various persons have contacted the undersigned and blamed / ridiculed my client for being members of such vicious party alleging that BJP does not believe in democratic values and is trying to run the country by way of dictatorship. Such behaviour of persons



known to my client have caused distress not only to my client but also to all those who believe in the democratic ideology of BJP.

Therefore, you are requested to immediately withdraw the said speech and telecast your apology prominently in your television and social media failing which my client shall be constrained to initiate, both civil and criminal, proceedings against you, at your own risk and cost.

A copy of this Legal Notice is being retained in our good offices for future course of action and legal proceedings.



(SATYA RANJAN SWAIN)