

H.C. ARORA

ADVOCATE

PUNJAB & HARYANA HIGH COURT

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Dated: 2.2.2020

To,

Sh. Suresh Kumar, Chief Principal Secretary, Government of Punjab, Punjab Civil Secretariat, Chandigarh.

Subject:- Request for introducing State Amendment to Section 294 of Indian Penal Code, 1860, for implementating the resolve of the Hon'ble Chief Minister to place a complete ban on songs glorifying violence.

Through E-mail

Dear Sir,

I am happy to note that the Hon'ble Chief Minister has publically expressed his resolve to curb the tendency to sing songs for glorifying the cult of violence/guns. In this regard, I have to suggest as under:-

1. That the Hon'ble High Court of Punjab and Haryana in CWP No. 6213 of 2016 (Reet Mohinder Singh Vs. State of Punjab and others) decided on 22.7.2019, has issued direction No. (x) to the following effect:-

“x) The Director General of Police in the States of Punjab, Haryana and Union Territory, Chandigarh, are directed to ensure that no songs are played glorifying the liquor, wine, drugs and violence in any song even in live shows.”

2. That Section 294 of the Indian Penal Code, 1860, as it presently stands, covers only such songs played at public places which are of obscene nature. Therefore, another provision requires to be added to the aforesaid section by introducing State Amendment to the following effect:-

“ Section 294-B - Songs glorifying cult of guns/violence – Whoever plays a song glorifying the liquor, wine, drugs and violence, even in a live show, shall be punished with imprisonment of either description for a term which may extend to two years or with fine or with both.

Classification of offence – the offence under this section is cognizable, bailable, non-compoundable and triable by any Magistrate.”

I hope and trust that the Hon’ble Chief Minister will consider this suggestion with the seriousness it deserves.

Meanwhile, please acknowledge receipt.

Yours sincerely,

(H.C. ARORA)
ADVOCATE