

Activist Challenges Court's Decision in Anti-CAA Protest Case



Student activist Asif Iqbal Tanha has petitioned the Delhi High Court, challenging a trial court's decision to frame charges against him in a case related to violence during the 2019 anti-Citizenship (Amendment) Act (CAA) protests in the Jamia Nagar area. The High Court, on Monday, July 28, 2025, issued notice to the Delhi Police, seeking their response to Tanha's plea. The court has scheduled the next hearing for October 30, at which time it will also consider similar petitions filed by co-accused, including Sharjeel Imam.

The case originates from the widespread protests that erupted in late 2019 and early 2020 following the passage of the CAA. These demonstrations, particularly at Jamia Millia Islamia and Shaheen Bagh, saw significant public participation. Tanha and others were booked by the New Friends Colony police station under various provisions of the Indian Penal Code, the Prevention of Damage to Public Property Act, and the Arms Act.

In March, the trial court had observed that a December 13, 2019, speech delivered by Sharjeel Imam near Jamia University was "venomous," "pitted one religion against another," and constituted "hate speech." Based on this and other evidence, including mobile call detail records (CDR) and location data, the trial court proceeded to frame charges against Tanha, Imam, and nine other individuals. The court specifically stated that Tanha, along with Ashu Khan and Chandan Kumar, "committed abetment by prior conspiracy as well as by instigating violent mob activity at the spot." Tanha was identified in the police's First Information Report (FIR) as being present at the scene of violence and allegedly leading the crowd.

Tanha's appeal argues that the trial court's order was passed without proper application of mind and a thorough appreciation of the evidence presented. This legal challenge underscores the ongoing scrutiny of cases stemming from the anti-CAA protests and the judicial process involved in determining culpability for associated violence.

It is noteworthy that Asif Iqbal Tanha was also an accused in the larger conspiracy case related to the 2020 Delhi riots, in which he was previously granted bail due to a delayed trial. This current appeal highlights the continued legal battles faced by individuals involved in the 2019-2020 protests. The High Court's decision on Tanha's petition, and similar pleas from co-accused, will be a significant development in these high-profile cases, further defining the legal boundaries of protest and dissent.