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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

Date of decision:-12th May, 2023.

+ **W.P.(C) 6332/2023 and CM APPL. 24870/2023**

AZMAT ALI KHAN

..... Petitioner

Through: Mr. Rajiv Bajaj, Mr Saurabh Soni, Mr
Karan Prakash and Ms. Shruti Khosla
Advocates (M: 8826502108).

versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr. T. Singh Dev, Mr. Abhijit
Chakravarty, Ms. Anum Hussain, Mr.
Aabhaas Sukhramani, Mr. Tanishq
Srivastava and Mr. Bhanu Gulati,
Advocates for R-2 (M: 9955237440).
Ms. Nisha Bhambhani, Mr. Rajat
Arora & Ms. Mariya Shahab,
Advocates for R-3 (M: 9958593888).
Ms Mamta Jha, Mr Rohan Ahuja &
Ms Shruttima Ehersa, Advocates for
R-4 (M: 9899090111).

CORAM:

JUSTICE PRATHIBA M. SINGH

Prathiba M. Singh, J. (Oral)

1. This hearing has been done through hybrid mode.

CM APPL. 24871/2023 (for exemption)

2. Allowed subject to all just exceptions. Application is disposed of.

W.P.(C) 6332/2023 and CM APPL. 24870/2023

3. This is a petition filed by the Petitioner-Azmat Ali Khan seeking removal of videos, tweets and various news items appearing on online

platforms and news channels in respect of an FIR No.295/2023 dated 19th April, 2023 registered at PS Dabri Dwarka Delhi lodged against the Petitioner. It is the Petitioner's contention that the news are in the form of fake news, threats and are severely jeopardising his life, reputation and safety. The Petitioner is a classical singer.

4. It is stated that an FIR has been lodged by a lady with whom he was in a relationship for the last eight years. The allegations in the FIR are currently under investigation by the concerned Police authorities. The submission of Mr. Rajiv Bajaj, Id. Counsel for the Petitioner is that the circulation of the videos is posing a great threat to the independent investigation in the FIR, and to the Petitioner's personal safety and security. Mr Bajaj further submits that the videos released by Sudershan News and other platforms are extremely derogatory and the comments on the youtube platform show that there is a threat to his life as well. It is also stated that the Petitioner has written an email dated 9th May 2023 to the Respondents in respect of his grievances.

5. On behalf of Respondent No. 4-Google, it is submitted by Ms. Mamta Jha that since the FIR has already been registered in the matter, therefore the originators of the videos ought to be heard and orders may then be passed.

6. On behalf of the Respondent No. 3-News Broadcasting & Digital Standards Authority (*hereinafter* 'NBDSA'), it is submitted by Ms. Nisha Bhambhani, Id. Counsel that none of news channels i.e. Respondent Nos. 6 &7 - Suresh Chavanke and Odisha Television Limited respectively, are members of the NBDA. Therefore, it is submitted that Respondent No. 3 has no jurisdiction over the said news channels.

7. It is submitted by Mr. T. Singh Dev, Id. Counsel on behalf of the

Respondent No. 2-Press Council of India, that the email has been received on 9th May, 2023 and the same is being looked into by the PCI which has jurisdiction only over the print media.

8. Heard. Considering the nature of this matter, issue notice to all the Respondents.

9. On behalf of Respondent No. 2, Mr. T. Singh Dev, Id. Counsel accepts notice. On behalf of Respondent No. 3-Ms. Bhambani, Id. Counsel accepts notice. On behalf of Respondent No. 4-Ms Mamta Jha, Id. Counsel accepts notice.

10. Let notice be issued to all the remaining Respondent Nos. 5 to 10.

11. In addition, notice is also issued to Ms. Hetu Arora Sethi, Id. ASC on behalf of Delhi Police. Let a status report be placed on record by Delhi Police in respect of the investigation which is being conducted in the FIR No.295/2023 dated 19th April, 2023 registered at PS Dabri Dwarka Delhi.

12. Let Ms. Hetu Arora Sethi, Id. ASC for the Delhi Police also contact the Complainant in the said FIR and intimate the Complainant about the pendency of this petition. Ms. Sethi shall also file a status report regarding the investigation by the next date.

13. Mr. Sandeep Mohapatra, Id. ASC, who is present in Court, is requested to accept notice on behalf of the Union of India. He is requested to seek instructions from the Respondent No. 1-Ministry of Electronics and Information Technology (MeitY) and from the Ministry of Information and Broadcasting as well.

14. Considering that there is a severe threat to the independent investigation in the FIR and to the safety and security of the Petitioner, as is evident from the comments and videos which have been placed before this

Court, it is directed that the links which have been set out in paragraph 11 shall be immediately blocked for public viewing till the next date of hearing.

The details of the links are as under:

https://twitter.com/sudarshannewstv/status/1655117315149803521?s=48&t=xeZ5uN4_6Q15a7B-7MV5tg
https://www.youtube.com/watch?v=NhLgvVHMkAM
https://odishatv.in/news/crime/sikh-widow-in-delhi-alleges-love-jihad-files-case-of-rape-conversion-threat-203657
https://www.latestly.com/quickly/india/news/sikhwidow-in-delhi-alleges-love-jihad-files-rape-case-5109023.html
https://organiser.org/2023/05/08/172945/bharat/delhisikh-widow-files-fir-for-rape-attempting-conversionsays-azmat-ali-forced-me-to-adopt-islam-which-idenied/
https://www.pgurus.com/delhi-sikh-widow-alleges-love-jihad-files-case-of-conversion-threat-and-rape/

15. List on 24th May, 2023.
16. Order *dasti* under the signature of the Court Master.

PRATHIBA M. SINGH
JUDGE

MAY 12, 2023
mr/dn