VERDICTUM.IN

$~38

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

\# **CNR No. DLHC010545342026**

\+ CS(OS) 1019/2026 & I.A. 31139-31145/2026

SMT REKHA GUPTA .....Plaintiff

Through: Mr. Sameer Rohatgi, Mr. Nikhil Kohli, Mrs. Ritika Gambhir Kohli, Mr. Tushar Mudgil, Mr. Kushank Garg, Mr. Anwar Shad, Mr. Samarth Kapoor, Mr. Namit Suri, Ms. Tanya Sharma, Ms. Pepakayala Geetanjali and Mr. Anish Singh, Advocates

versus

AAM AADMI PARTY & ORS. .....Defendant

Through: None

CORAM:
HON'BLE MR. JUSTICE MANOJ JAIN

O R D E R

% 06.11.2026

I.A. 31144/2026 (seeking extension of time in making up deficiency in court fee)

1. Heard.

2. During course of consideration, learned counsel for plaintiff submitted that deficiency in court fee would be made up within one week from today.

3. Time is granted to the plaintiff accordingly.

4. Application stands disposed of in aforesaid terms.

I.A. 31143/2026 (seeking leave to place on record videographic evidence through compact disc/pen drive

5. For the reasons mentioned in the application, application is allowed

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 07/11/2026 at 13:06:09

VERDICTUM.IN

and such media i.e. pen drive/compact disc is permitted to be placed on record.

I.A. 31142/2026 (seeking exemption from serving two months prior notice to the Government of India)

6. Keeping in mind the urgency expressed by the plaintiff, application is allowed.

I.A. 31145/2026 (for exemption from providing hash value of the electronic evidence)

7. For the reasons mentioned in the application, application is allowed subject to just exceptions.

CS(OS) 1019/2026

8. Present suit has been instituted by sitting Chief Minister of National Capital Territory of Delhi who, *inter alia*, seeks permanent injunction restraining the defendants from publishing, circulating and disseminating defamatory and AI-Generated deep fake contents on social media.

9. Plaintiff also seeks damages.

10. None appears on behalf of defendants despite advance notice.

11. Learned counsel for plaintiff submits that advance service was effected upon defendants through email firstly at about 9.30 AM today and thereafter at 11.30 AM, after removing objections, pointed out by the Registry.

12. Issue summons to all the defendants through all permissible modes.

13. Summons to defendants shall indicate that their written statements must be filed within thirty days from the date of receipt of summons. The defendants shall also file affidavit of admission/denial of the documents filed by the plaintiff, failing which the written statements shall not be taken

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 07/11/2026 at 13:06:09

VERDICTUM.IN

on record.

14. The plaintiff is at liberty to file replication thereto within thirty days after filing of the written statements. The replication shall be accompanied by affidavits of admission/denial in respect of the documents filed by the defendants, failing which the replication shall not be taken on record.

15. List on 04.12.2026.

I.A. 31139/2026 (under Order XXXIX Rules 1 & 2 r/w Section 151 CPC seeking interim reliefs)

16. Plaintiff prays for permanent injunction and requests for direction to take down series of AI-Generated images, videos and posters published from the official and verified accounts of defendant No. 1 i.e. Aam Aadmi Party. It is submitted that all these impugned material, put on public domain, depict the plaintiff, a sitting Chief Minister as liquor vendor, hawker and delivery agent and as head of non-existing "*Har Har Rekha or Ghar Ghar Theka*" *Yojana*. It is contended that there is clear cut *prima facie* case in favour of the plaintiff. Balance of convenience is also in favour of the plaintiff as no legitimate right or interest of the defendants would be affected if the contents are directed to be taken down. It is argued that if the immediate injunction is not granted, plaintiff would, rather, suffer irreparable loss and injury, which cannot be compensated in terms of money. Reliance has been placed upon *Raghav Chadha v. Ashok Kumar John Doe & Ors.: CS(OS) 466/2026, Dr. Sanjiv Goenka v. Google LLC & Ors.: CS (COMM) 395/2026, Vinai Kumar Saxena Vs. Aam Aadmi Party & Ors.: CS(OS) 593/2022: Smriti Zubin Irani v. Pawan Khera & Ors.: 2022 SCC OnLine Del. 2310 and Shashi Tharoo v. Ashok Kumar & Ors. CS (OS) 414/2026.*

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 07/11/2026 at 13:06:09

VERDICTUM.IN

17. Learned counsel for plaintiff submits that the prevalent facility, merely, permits a registered user to check stocks, book and pay online and then to collect the purchase in person from the vend and that there is no provision for home-delivery of liquor. It is submitted that impugned defamatory material shows Chief Minister herself serving drinks to men at night, amidst a brawl and in the backdrop of romantic soundtrack. The contents thereof, according to plaintiff, are highly stigmatic, disgraceful and defamatory.

18. While acknowledging the fact that in a free democratic Nation like ours, though anyone has a freedom of speech and expression and many a times, there would be political satires but the impugned contents are outside the purview of harmless satirical humor. These are not only highly defamatory but vulgar and base in nature.

19. It is submitted that by publishing such material on its official handles, defendant No. 1 has breached the dividing line.

20. Of course, political bigwigs should have shoulders broad enough to tolerate political humor and satirical criticism. Even in *Raghav Chadha (supra)*, this Court had observed that any action by a politician belonging to any political party may invite criticism from public or members from rival political parties which may, at times, be expressed in the form of satirical humour. It is argued that in said case, however, this Court had ordered take down of explicit contents of some such material, which were found to be profane and vulgar in nature and which fell outside the purview of harmless satirical humour.

21. With the advent of technology, it is becoming easier to create a video with the help of *Artificial Intelligence* (AI).

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 07/11/2026 at 13:06:09

VERDICTUM.IN

22. There is always a thin line between a political satire and offensive depiction.

23. When it comes to mere humour or satire, the Court may not interfere but when a person's dignity is attacked, tarnished and ridiculed, it becomes duty of the Court to adopt appropriate responsive measures.

24. Undoubtedly, holding public office, automatically, invites greater scrutiny but, at the same time, the dignity of any individual cannot be compromised. Satire may though hurt conscience of any individual but it cannot be permitted to create irreparable wound on someone's dignity. In the garb of freedom of speech and expression and under the disguise of humour and satire, no one can be permitted to be reduced to an *object of ridicule and insult*. The possibilities of depiction, in the modern era, are limitless but the responsibility to create and publish any such content is within the control of a human and, therefore, the legitimate boundaries ought not to be transgressed.

25. During course of consideration, the court was taken through the alleged defamatory contents (D-1 to D-4) as are available on the *'X'* (formerly known as *Twitter*) and *Facebook* of defendant No. 1.

26. Learned counsel for plaintiff submits that one such video has been published on Meta platform X on 04.11.2026 and at the time of capturing of screenshot from platform X, there were about 75,000 views, 1,600 likes and 470 re-posts. Other videos have also generated several likes and comments, in no time. It is contended that these AI-generated videos and images depict plaintiff in a very demeaning way, without even bothering to care that plaintiff, besides holding a responsible position, is a lady. One such video also contains deep fake AI-generated video involving not only the Chief Minister but also Deputy Chief Minister of Delhi. They both are shown

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 07/11/2026 at 13:06:09

VERDICTUM.IN

together, pouring liquor and ice-cubes. The video-images look so real and near-perfect imitation.

27. The impugned contents give an impression as if plaintiff herself is a liquor-vendor and that her such depiction has evident potential to tarnish her personal dignity and moral character, not only as a Chief Minister but as a woman also.

28. Admittedly, any political party is entitled to criticize any governmental policy or decision or administrative action of the government but in the garb of expression of disapproval of any such policy, the offensive portrayal of Chief Minister, with the assistance of AI-generated videos, hurting her very dignity can be, by no stretch of imagination, said to be in the realm of permissible political satire.

29. In *Raghav Chadha (supra)*, this Court, while acknowledging that the use of AI has become an instrument for voicing opinion across social media platform which is evident in political context, has also observed that till the time publication of such content is not regulated appropriately by a stringent legislation, it becomes judicial duty upon receipt of grievance to examine whether the use of AI has reached the threshold of infringing upon an individual's fundamental rights of dignity or not.

30. Healthy criticism and satirical humor may not raise any eyebrows but AI-generated videos and the posts in question have clearly breached the dividing line as the contents are not only defamatory and offensive but also attack the dignity of a woman, having constitutional authority.

31. This Court does not find any real requirement of extracting and reproducing the contents in the present order. Suffice it to say that the plaintiff has been able to make out a *prima facie* case and balance of

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 07/11/2026 at 13:06:09

VERDICTUM.IN

convenience is also in her favour, particularly keeping in mind the fact that these contents travel at a lightning speed, through social media platform.

32. The details of the offending *URLs* are mentioned in schedule of the plaint which are as under:

S. No.	Links	Description
1	(https://x.com/aapdelhi/status/2117931031433208068?a=bo4y3CagrmXIC6AFwcU&s=48)	Video Posted on X by defendant No. 1.
2	(https://x.com/aapdelhi/status/2117587914159018174?a=_YhQu33yRYPk1t6cy7c&s=48)	Video Posted on X by Defendant No. 1.
3	(https://x.com/aapdelhi/status/2116055692029386946?a=B7susABY9EsgY6xvo4w&s=48)	Video Posted on X by defendant No. 1.
4	(https://x.com/aapdelhi/status/2116042029448978434?a=mSqUUSzynOoadJPirxM&s=48)	Post shared on X by defendant No. 1.
5	(https://x.com/aamaadmiparty/status/2117081762010706078?a=-oJe-WGNL77BTo9zObQ&s=48)	Post shared on X by defendant No. 1.
6	(https://www.facebook.com/share/r/1F6jS5Hhbe/?mibextid=wwXIfr)	Video posted on Facebook by defendant No. 1

33. While issuing notice to the defendants, defendant No. 3, defendant No. 4 and defendant No. 5 are directed to take down the aforesaid *URLs* forthwith.

34. Let there be compliance of Order XXXIX Rule 3 of CPC.

35. A copy of this order be given *dasti* under signatures of the Court Master.

36. List on 04.12.2026 for further consideration.

MANOJ JAIN, J

NOVEMBER 6, 2026/*dr/sa/js*

This is a digitally signed order.
The authenticity of the order can be re-verified from Delhi High Court Order Portal by scanning the QR code shown above.
The Order is downloaded from the DHC Server on 07/11/2026 at 13:06:09