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WP-33764-2026

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE HIMANSHU JOSHI

ON THE 20th OF AUGUST, 2026WRIT PETITION No. 33764 of 2026*ANJALI SINGH**Versus**UNION OF INDIA AND OTHERS*

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Appearance:

Shri Shashank Shekhar - Senior Advocate With Shri Siddhant Jain -
Advocate for the petitioner.

Shri S.M. Guru - Additional Solicitor General alongwith Shri Dev
Sharma - Advocate for the respondent No.1/Union of India.

Shri Mukesh Shukla - Government Advocate for the respondent No. 2
to 6/State.

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ORDER

This petition under Article 226 of the Constitution of India has been filed by the petitioner seeking directions to the State authorities and the concerned social-media intermediaries in relation to circulation of allegedly edited and misleading video clips concerning an incident dated 24.07.2026 at Amrapali Enclave, Chuna Bhatti, Bhopal. The petitioner also seeks preservation of electronic evidence, identification of persons responsible for circulation of the alleged objectionable material, protection to herself and her family, registration and investigation of the alleged cyber offence, and appropriate action under the Information Technology Act, 2000 and the



Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021.

2. The factual matrix, in brief, is that the petitioner has been involved in certain civil and administrative disputes concerning the management of Amrapali Enclave and common areas thereof. According to the petitioner, parking blocks situated outside her residence were removed during the night of 23.07.2026 and were being restored on 24.07.2026 when an altercation took place. The petitioner asserts that the entire occurrence was recorded in CCTV footage and also in an unedited video. It is her case that, thereafter, portions of the incident were selectively edited and circulated through various social-media platforms with captions giving the incident a communal colour and falsely attributing religious remarks to her.

3. The petitioner submits that, following such circulation, she and her family started receiving threatening calls and messages. She accordingly submitted complaints before the police authorities, State Cyber Police and the National Cyber Crime Reporting Portal from 29.07.2026 onwards. The NCRP complaint was transferred to Police Station Chuna Bhatti, while subsequent complaints were forwarded by the Cyber Police to the DCP (Crime)/ACP Cyber. The petitioner also submitted a representation dated 06.08.2026 invoking the IT Rules, 2021 and seeking removal of the alleged objectionable material and preservation of electronic evidence.

4. The petitioner further submits that she appeared before the police and her statement was recorded on 10.08.2026. She also sought transfer of investigation from Police Station Chuna Bhatti. It is alleged that despite



more than fifteen complaints and representations, the impugned material continues to circulate and no effective action has been taken. The petitioner has relied upon the original/unedited video and CCTV footage, stated to have been filed in a pen-drive along with a certificate under Section 63 of the Bharatiya Sakshya Adhiniyam, 2023, as Annexure IA/1.

5. Learned counsel for the petitioner submits that the continued circulation of manipulated material poses a serious threat to the petitioner's reputation, dignity, privacy and personal safety. It is contended that the State authorities are under a positive obligation to protect the life and liberty of the petitioner under Article 21 of the Constitution. Learned counsel further submits that the authorities failed to take appropriate steps under the IT Rules, 2021 despite receiving specific complaints and information concerning the URLs and electronic locations of the alleged objectionable content. It is also submitted that the intermediaries failed to comply with their grievance-redressal obligations. Reliance has been placed upon the judgment passed by Hon'ble Supreme Court in the case of **K.S. Puttaswamy (Retd.) v. Union of India**, (2017) 10 SCC 1, for the proposition that privacy is a constitutionally protected right, and upon the judgment of the Kerala High Court in **Anto Augustine & Others v. Union of India & Others**, W.P. (C) No.9839/2024, in support of the submissions concerning the statutory mechanism under the IT Rules.

6. Learned counsel for the respondents opposed the petition and submitted that the allegations made by the petitioner involve disputed questions of fact, which cannot appropriately be adjudicated in writ



jurisdiction. It was submitted that the complaints made by the petitioner have already been forwarded to the competent police/cyber authorities and her statement has also been recorded. The authorities are taking action in accordance with law. It was further submitted that no blanket direction for removal of social-media content or disclosure of user details can be issued without following the procedure prescribed under the Information Technology Act, 2000 and the applicable Rules. Accordingly, dismissal of the petition was prayed for.

7. Having considered the submissions and perused the material placed on record, this Court finds that the principal grievance of the petitioner relates to alleged circulation of edited videos and the consequential threats received by her and her family. The allegations involve questions of fact, including the authenticity and completeness of the videos, the identity of the persons who edited or circulated them, the context in which the statements were made and whether the circulated material attracts any penal or statutory provision. Such questions are appropriately examined by the competent investigating agency on the basis of the original electronic material and other evidence.

8. At this stage, this Court would not be justified in recording a finding that the impugned videos are in fact defamatory, communally inflammatory or “synthetically generated information”, as such findings require examination of the original material and the applicable statutory framework. Likewise, a blanket direction to the private intermediary respondents to remove all such content, without identification and



examination of the specific offending material, cannot ordinarily be issued in writ jurisdiction.

9. Nevertheless, the grievance regarding preservation of electronic evidence and apprehension to personal safety cannot be ignored. The complaints placed on record show that the matter has already been brought to the notice of the police and cyber authorities. The competent authorities are therefore required to consider the complaints in accordance with law and take appropriate steps, particularly in relation to preservation of electronic evidence and investigation of any cognizable offence disclosed from the material.

10. So far as the prayer for immediate registration of an FIR and transfer of investigation is concerned, this Court is of the view that the competent police authority shall consider the petitioner's complaints in accordance with law. If the allegations disclose commission of a cognizable offence, appropriate action shall be taken in accordance with the procedure prescribed by law. At the same time, the petitioner cannot seek a direction for a particular agency to investigate merely on the basis of apprehension, in the absence of material demonstrating that the existing investigation is unfair or incapable of being conducted impartially.

11. Insofar as the prayer concerning removal of the alleged objectionable content is concerned, the petitioner is at liberty to place before the competent authority and the concerned intermediaries the specific URLs, account details, screenshots and copies of the original/unedited footage. The competent authority shall consider the grievance in accordance with the IT



Act and the Rules framed thereunder. Nothing in this order shall prevent the competent authority from issuing an appropriate direction or communication to an intermediary if the statutory requirements are found satisfied.

12. As regards the prayer for police protection, in view of the specific assertion that the petitioner has received threats, respondent No.3/Commissioner of Police, Bhopal, shall examine the representation dated 02.08.2026 (Annexure P/5) and, after making an appropriate threat assessment, take such preventive measures as may be warranted in accordance with law.

13. Consequently, without expressing any opinion on the merits of the allegations or the legality of the impugned digital material, the writ petition is disposed of with the following directions:

(i) The competent police/cyber authority shall consider the complaints submitted by the petitioner and take appropriate action in accordance with law, including preservation of relevant electronic evidence.

(ii) The competent authority shall examine the petitioner's grievance regarding the specific online content and, wherever the statutory requirements are satisfied, take appropriate action under the applicable provisions of the IT Act and the IT Rules, 2021.

(iii) The Commissioner of Police, Bhopal, shall consider the petitioner's request for protection and take appropriate preventive measures on the basis of the threat assessment.

(iv) The concerned investigating authority shall consider the original CCTV footage, unedited video and other electronic material produced by the



petitioner, including Annexure IA/1, in accordance with law.

(v) If any cognizable offence is disclosed from the complaints and material available with the police, appropriate proceedings shall be initiated in accordance with law.

14. It is clarified that this Court has not expressed any opinion regarding the genuineness, legality or otherwise of the alleged edited videos, the rival allegations arising from the incident dated 24.07.2026, or the culpability of any person. The authorities shall undertake the exercise independently and strictly in accordance with law.

(HIMANSHU JOSHI)
JUDGE

Prachi