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

+ W.P.(CRL) 2301/2022 & CRL.M.A. 20010/2022

X Petitioner

Through: Mr. Louish Sharma, Mr. Gobind Malhotra, Ms. Niharika Yadav & Mr. Gurpreet Singh, Advocates.

versus

UNION OF INDIA & ORS. Respondents

Through: Ms. Nidhi Raman, CGSC with Mr. Rishav Dubey & Mr. Z. Singh, Advocates for R-1/UOI.

Mr. Rahul Tyagi, ASC for State with Mr. Aashish Chojar, Mr. Sudeep Raj Saini & Mr. Jatin Khatri, Advocates for R-2 & 3 with W/SI Charu Saini, PS Delhi Cantt.

None for R-4.

CORAM:

HON'BLE MS. JUSTICE ANU MALHOTRA

ORDER

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28.09.2022

CRL.M.A. 20010/2022

Exemption allowed subject to all just exceptions.

The application is disposed of accordingly.

W.P.(CRL) 2301/2022

The petitioner vide the present petition makes the following prayers:-

“A. Direct the Respondent No.4 to take down, remove, block, restrict/ disable access, on a global basis, to all such videos/pictures of the Petitioner uploaded at fake Instagram and Facebook user accounts mentioned in the list annexed to the present Petition,

B. Direct the Respondent No.4 to take down, remove, block, restrict/ disable access, on a global basis, to all fake Instagram and Facebook user accounts mentioned in the ANNEXURE-P-1 to the present Petition,

C. Grant liberty to the Petitioner (expressly written in order) and directions to the Respondent no.4, that the Petitioner, in future can directly approach or send requests through a specific channel to the Respondent no.4 to seek removal of unlawful/ defamatory / offending content pertaining to her privacy,

D. Direct the Respondent no. 3 to invoke the penal provisions of the Information Technology ACT, 2000 against the accused person namely Mukesh in PIR bearing no. 381/2021 dated 23.12.2021, U/S 354(C)/ 354 (D)/ 506/509 Indian Penal Code, 1860

E. Direct the Respondent no. 1 to expeditiously initiate the passport impounding process of the Accused person namely Mukesh s/o Jile Singh under section 10 (3) (h) of the Passports Act, 1967 or in alternative, direct the Respondent no. 3 to intimate the Regional Passport Office, New Delhi to Initiate passport impounding procedure of the Accused namely Mukesh s/o Jile Singh under section 10 (3)(h) of the Passports Act 1967.

F. Direct the Respondent no.3 to expeditiously initiate the extradition procedure of the Accused person from the United Arab Emirates as per law in terms of India-UAE Extraditions Treaty, 1999 ratified on 29 May 2000.”

During the course of submissions that have been made on behalf of the petitioner, it has been brought forth that a complaint filed by the petitioner before the learned Trial Court stands withdrawn, with it having been submitted *inter alia* on behalf of the petitioner that this petitioner was constrained to withdraw the same. The copy of the proceedings before the

learned Trial Court adverted to during the course of the present proceedings be placed on record by the petitioner with an affidavit of the petitioner.

Nevertheless, in the interest of justice, in view of the submissions that have been made in the petition and Annexure P-1 on the record, it is considered essential that the respondent Nos.1, 2 and 3 submit their status report qua the matter.

The State has apprised the Court that an FIR bearing No.381/2021, PS Delhi Cantt, under Sections 354C/354D/506/509 of the Indian Penal Code, 1860 and Section 67 of the Information Technology Act, 2000 has been registered, with it having been submitted that the chargesheet in the matter is yet to be filed and the accused has been declared a proclaimed offender.

The status report of the respondents as directed be submitted for the date 18.10.2022.

The matter be re-notified for 18.10.2022.

ANU MALHOTRA, J

SEPTEMBER 28, 2022

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