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

+ **CS(COMM) 240/2023**

RED CHILLIES ENTERTAINMENTS PVT LTD..... Plaintiff

Through: Mr. Raj Shekhar Rao, Sr.
Advocate with Mr. Parag Khandhar, Mr.
Nizam Pasha, Ms. Chandrima Mitra, Mrr.
Krishan Kumar and Mr. Varun Kalra, Advs.

versus

ASHOK KUMAR/JOHN DOE & ORS. Defendants

Through:

CORAM:

HON'BLE MR. JUSTICE C.HARI SHANKAR

ORDER

% **25.04.2023**

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1. The plaintiff, by this plaint, seeks a restraint against various rogue websites, as well as various internet service providers (ISPs) and others who are providing platforms over which content can be uploaded on the internet, from broadcasting or airing any part of the film Jawan, which is produced by the plaintiff and in which, therefore, the plaintiff claims copyright. It is alleged that clips and stills from the film are already available on the internet over various platforms, though no licence, to broadcast or transmit any part of the film has, till date, been granted by the plaintiff to any entity.

2. Mr. Raj Shekhar Rao, learned Senior Counsel for the plaintiff, submits that following the judgments of the learned Single Judge of this Court in *UTV Software Communication Ltd v. 1337x.To*¹, several

¹ (2019) 78 PTC 375
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such orders have been passed by this Court. A list of websites, which have been identified by this Court as rogue websites, which have been indulging in screening and making available, without authorization, among other things, cinematograph films, has also been provided in Schedule A of the documents filed with the plaint.

3. In view of the submissions of Mr. Rao that the plaintiff is the producer of the film and, therefore, the copyright holder of its contents, and that the plaintiff has not licensed the transmission or distribution or broadcasting of the film to any other entity till date, the plaintiff is entitled to injunctive relief.

4. Let the plaint be registered as a suit. Issue summons. Summons be served on the defendants by all modes.

5. Written statement, accompanied by affidavit of admission and denial of the documents filed by the plaintiff be filed within 30 days with advance copy to learned Counsel for the plaintiff who may file replication thereto, accompanied by affidavit of admission and denial of the documents filed by the defendants within 30 days thereof.

6. List before the learned Joint Registrar (Judicial) for completion of the pleadings, admission and denial of documents and marking of exhibits on 7th July 2023, whereafter the matter would be placed before the Court for case management hearing and further proceedings.

I.A. 7776/2023(Order XXXIX Rules 1 and 2 of the CPC)

7. By this application, the plaintiff seeks interlocutory injunctive

relief. Given the principles of *prima facie* case, balance of convenience and irreparable loss, the plaintiff is entitled to interlocutory injunctive relief even at this stage.

8. Till the next date of hearing, the following interim directions are passed:

(i) The defendants, as well as all other acting on their behalf, are restrained from copying, recording, reproducing, allowing recording, transmitting, communicating or making available for distribution, duplication, display or release, exhibiting or playing in any manner, any stills, audio/video clips, songs, recordings or other proprietary information relating to the cinematographic film "Jawan" or any part thereof without a proper licence from the Plaintiff, through any medium whatsoever.

(ii) Defendants 2 to 5 are directed to immediately block and, thereafter, take down all infringing contents described at the following URLs, which stand enumerated in Schedule A filed with the plaint, as well as the URLs enlisted in Document 4 filed with the plaint and the clips shown in Document 5 filed with the plaint.

Schedule A

Sl. No.	URLs
1.	https://youtube.com/shorts/p1sbuVkmIJA?feature=share
2.	https://youtu.be/ZvdOGqf9r5s
3.	
4.	https://twitter.com/jamraizkhan16/status/1646796960446267393?s=46&t=5RIwNRycJ8MV9YSxIBI6Fg
5.	https://twitter.com/ritikja55449299/status/1646787828658114560?s=46&t=5RIwNRycJ8MV9YSxIBI6Fg

6.	https://twitter.com/pankajs24901281/status/1646785205770788864?s=46&t=5RIwNRycJ8MV9YSxIBI6Fg
7.	https://twitter.com/theunkwnsrkian/status/1646080179306110976?s=46&t=5RIwNRycJ8MV9YSxIBI6Fg
8.	https://twitter.com/theunkwnsrkian/status/1645753040035799040?s=46&t=5RIwNRycJ8MV9YSxIBI6Fg
9.	https://twitter.com/theunkwnsrkian/status/1645485526492012544?s=46&t=5RIwNRycJ8MV9YSxIBI6Fg
10.	https://twitter.com/theunkwnsrkian/status/1641001840027537409?s=46&t=5RIwNRycJ8MV9YSxIBI6Fg
11.	https://twitter.com/theunkwnsrkian/status/1640321016504389633?s=46&t=5RIwNRycJ8MV9YSxIBI6Fg
12.	https://twitter.com/psjai740/status/1645064538298138630?s=46&t=5RIwNRycJ8MV9YSxIBI6Fg
13.	https://twitter.com/srkian_rutu/status/1645099005721055232?s=46&t=5RIwNRycJ8MV9YSxIBI6Fg
14.	https://twitter.com/srkian_rutu/status/1645099005721055232?s=46&t=5RIwNRycJ8MV9YSxIBI6Fg
15.	https://twitter.com/theunkwnsrkian/status/1641001840027537409?s=46&t=5RIwNRycJ8MV9YSxIBI6Fg
16.	https://twitter.com/jamraizkhan16/status/1646796960446267393?s=46&t=5RIwNRycJ8MV9YSxIBI6Fg
17.	
18.	https://www.reddit.com/r/BollyBlindsNGossip/comments/xv6hnm/srks_look_test_from_jawan_was_leaked/
19.	https://www.reddit.com/r/BollyBlindsNGossip/comments/xv6hnm/srks_look_test_from_jawan_was_leaked/
20.	https://www.reddit.com/r/BollyBlindsNGossip/comments/xv6hnm/srks_look_test_from_jawan_was_leaked/
21.	https://www.reddit.com/r/BollyBlindsNGossip/comments/11nnvt/srk_in_leaked_jawan_clip/
22.	https://www.reddit.com/r/BollyBlindsNGossip/comments/12jgifo/srk_shooting_for_jawan_song/
23.	https://www.reddit.com/r/BollyBlindsNGossip/comments/12lcthh/srks_look_from_jawan_leaked/
24.	https://www.reddit.com/r/BollyBlindsNGossip/comments/12lcthh/srks_look_from_jawan_leaked/
25.	https://www.reddit.com/r/BollyBlindsNGossip/comments/12lcthh/srks_look_from_jawan_leaked/

	look_from_jawan_leaked/
26	https://www.youtube.com/watch?v=bW1lr4Sj-9Q
27	https://www.youtube.com/watch?v=VLgt2F6q5Bg
28	https://www.youtube.com/watch?v=Exec62nCUTA
29	https://www.youtube.com/watch?v=PYzUd7gqNMc
30	https://www.youtube.com/watch?v=uqJj0qlvVxA

(iii) Defendants 6 to 40 and all others acting on their behalf are directed to block access to the websites/webpages mentioned in Schedule B to the plaint, as well as any mirror/alphanumeric/redirect website thereof. Should any other such content spring up on the internet and come to the notice of the plaintiff, the plaintiff would be at liberty to immediately intimate Defendants 6 to 40 in that regard, and the said defendants would promptly take down/block access to the said content.

(iv) This order shall remain in force till the next date of hearing.

(v) The plaintiff is directed to comply with the requirement of Order XXXIX Rule 3 of the CPC within one week from today.

I.A. 7777/2023 (Exemption)

9. Subject to the plaintiff filing legible copies of any dim or illegible documents within 30 days, exemption is granted for the present.

10. The application is disposed of.

C.HARI SHANKAR, J

APRIL 25, 2023

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