

ITEM NO.62

COURT NO.1

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

WRIT PETITION (CIVIL) Diary No(s). 37158/2024

KINNORI GHOSH & ANR.

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

Date : 20-08-2024 This petition was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE MANOJ MISRA

For Petitioner(s) Mr. Nikhil Majithia, Adv.
Mr. Rishi Kumar Singh Gautam, AOR

For Respondent(s)

UPON hearing the counsel the Court made the following
O R D E R

- 1 The grievance which has been urged in the Writ Petition under Article 32 of the Constitution which has been instituted by members of the Bar is that following the murder (coupled with an alleged rape) which took place at R G Kar Medical College and Hospital, Calcutta, the name of the deceased and related hashtags have been widely disseminated on electronic and social media platforms including Meta (Facebook and Instagram), Google (YouTube) and X (formerly Twitter). Moreover, photographs of the body of the deceased, including video clips have been circulating on social media and electronic platforms.

- 2 Plainly, this is in violation of the directives of this Court in **Nipun Saxena & Anr Vs Union of India & Ors**¹. This Court directed that the identity of victims of rape should be protected and the media including the press, electronic and social media shall not reveal their identity. A directive was also issued by the Union Union Ministry of Home Affairs on 16 January 2019.
- 3 Reliance has also been placed on the provisions of Section 72(1) of the Bhartiya Nyay Sanhita 2023.
- 4 This Court is constrained to issue an injunctive order since the social and electronic media have proceeded to publish the identity of the deceased and photographs of the dead body after the recovery of the body.
- 5 We accordingly direct that all references to the name of the deceased in the above incident, photographs and video clips shall forthwith be removed from all social media platforms and electronic media in compliance of this order.
- 6 The Writ Petition is accordingly disposed of.
- 7 Pending applications, if any, stand disposed of.

(GULSHAN KUMAR ARORA)
AR-CUM-PS

(POOJA SHARMA)
COURT MASTER (NSH)

1 (2019) 2 SCC 703