



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL WRIT PETITION NO. 470 OF 2026

ABC,
aged about 37 years,
Occupation – Environment and Climate
Change Consultant, R/o 206, Gayatrinagar
B-Maharani Farm, Durgapur, District Jaipur.

.... **PETITIONER**

VERSUS

- 1) State of Maharashtra,
through Police Station Officer,
Police Station Bajaj Nagar, Nagpur.
- 2) The Registrar General,
High Court of Judicature at Bombay,
Fort, Mumbai – 32.
- 3) The Registrar (Judicial),
High Court of Judicature at Bombay,
Nagpur Bench, Civil Lines, Nagpur -01.
- 4) The Principal District & Sessions Judge,
District and Sessions Court, Nagpur,
Akashwani Square, Nagpur – 440001.

.... **RESPONDENTS**

Mr. S.B. Tiwari, Counsel for the petitioner,
Mr. V.A. Thakare, Addl.PP for the respondents/State.

CORAM : URMILA JOSHI-PHALKE &
NIVEDITA P. MEHTA, JJ.

DATE : 03-07-2026

ORAL JUDGMENT : (PER : URMILA JOSHI-PHALKE, J.)

Heard. Rule. Rule made returnable forthwith.

2. By the present petition, the petitioner seeks issuance of direction to the Registrar General of this Court to mask and anonymize the name and personal identifiers of the petitioner in the publicly accessible digital versions of the judgment and orders dated 27-11-2018 in Criminal Application (APL) No.802/2017 available on the High Court's website. He further seeks the similar prayer in connection with Criminal M.A. No.2593/2017.

3. As per the contention of the writ petitioner, on 05-10-2017 First Information Report No.144/2017 was registered against him at Police Station Bajaj Nagar, Nagpur. The petitioner preferred an anticipatory bail application and he was protected by the Court. The dispute was amicably resolved between the parties. In view of the settlement, the Division Bench of this Court was allowed Criminal Application (APL) No.802/2017 and quashed the First Information Report No. 144/2017 and all subsequent proceedings arising therefrom. Despite complete legal exoneration over seven years ago, the unredacted digital records of the District Court judgment remain prominently accessible online and indexed by external search engines. This algorithmic permanence invariably surfaces during routine professional and educational background checks, severely prejudicing the petitioner's career progression and causing profound social stigma to his family and minor daughter. Therefore, he is approaching this Court to enforce his fundamental right i.e. right to privacy (right to be forgotten) by seeking the masking of his personal identifiers from the digital portals of the High Court and District Court, and the delinking of these records from search engine indexability.

4. Heard learned Counsel for the petitioner. He submits that the prejudice would be caused to the present petitioner due to the name appearing in the High Court website and his social life and career progression is also affected due to the said records and, therefore, he seeks masking of his name as well as personal identities which is accessible digitally to the members of the society. He reiterated the contention that he has a right to protect his reputation from being unfairly harmed and such protection of reputation needs to exist not only against falsehood but also certain truths. In support of his contention, he placed reliance on the decision of this Court in *Writ Petition No. 3499/2021* wherein the right to be forgotten or right to privacy was considered by this Court. He submitted that in view of the above said observations, in the present case also, the directions required to be given to the respondents.

5. The learned Additional Public Prosecutor strongly opposes the said contention. However, he submitted that as far as the Right of Privacy is concerned, it is not disputed and, therefore, appropriate order shall be passed.

6. After hearing both the sides and on perusing the record, it reveals that the First Information Report was registered against the present petitioner vide Crime No. 144/2017 at Bajaj Nagar Police Station, Nagpur. During pendency of the investigation, dispute was amicably resolved between the parties and the Division Bench of this Court allowed Criminal Application

(APL) No. 802/2017 and quashed the First Information Report No. 144/2017 and now no criminal proceedings is pending against him. It is well settled that the right to privacy is a fundamental right and forms an intrinsic part of Article 21 of the Constitution of India. The concept of right to privacy incorporates the right to be forgotten. In the age of internet, every piece of information that finds its way to the individuals acquitted of any offence or when criminal proceedings against such persons are quashed, emanates from the most basic notions of proportionality and fairness. While the access to information is a fundamental aspect of democracy, the same cannot be divorced from the need to balance the right to information of the public with the individual's right to privacy. This is especially when after the quashing of the proceedings, no public interest can be served by keeping the information alive on the internet.

7. This aspect is also considered by this Court at Principal Seat, Mumbai in ***Writ Petition No. 3499/2021*** (ABC v. Union of India & Ors.) wherein it is observed that it is in these extremely specific and peculiar facts that the petitioner asserts his "Right to Forgotten" or "Right to Privacy". Specifically, he says that there must be a delinking of the judgment from the Court website. Notably, the petitioner does not say, as indeed he cannot, that the Court records should be destroyed. The prayer reproduced above is limited to the availability of the case details and the judgment on the Court system website, i.e. a resource that is publicly accessible. By referring the judgment of the Hon'ble Apex Court, it is observed that in the case of *KS Puttaswamy-*

II, wherein it safeguards individual autonomy and recognizes the ability of the individual to control vital aspects of his or her life. Similar aspect is considered by the Delhi High Court also in a case of ***ABC vs. State of Another, 2024 SCC OnLine Del 8113***, wherein the Delhi High Court has observed that it is well settled that right to privacy is a fundamental right and forms an intrinsic part of Article 21 of the Constitution of India.

8. In view of the consistent view and considering the submissions made by the learned Counsel for the petitioner and considering the fact that the dispute is now amicably resolved between the parties and limited prayer of the petitioner is to the extent of digital record i.e. mask the details of the petitioner from the judgment and orders from the Court system website, which requires to be allowed.

9. In view of that, the petition deserves to be allowed. Hence, we proceed to pass the following order.

The Registry of this Court is directed to remove the name of the petitioner from the records of Criminal M.A. No.2593/2017, Criminal Application (APL) No.802/2017 and this Criminal Writ Petition No. 470/2026 and its search results. The Registry in future instead of the name of the petitioner being shown in the cause title or the pleadings, citations, judgment and orders passed in the said cases are directed to show that the petitioner as “ABC”.

10. Rule is made absolute in the above terms.

(Nivedita P. Mehta, J.)

(Urmila Joshi-Phalke, J.)

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