



SL. No.	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGE'S ORDERS
			<u>WPCRL/ 1438/2026</u> Hemu Das --Petitioner Versus State Of Uttarakhand --Respondent <u>Hon'ble Alok Mahra, J.</u> Mr. Aditya Singh, Advocate for the petitioner. 2. Ms. Pushpa Bhatt, Addl. A.G. alongwith Mr. S.C. Dumka and Mr. Pramod Tiwari, A.G.A.s for the State. 3. Mr. Vipul Sharma, Advocate for respondent no. 2. 4. The present writ petition under Article 226 of the Constitution of India has been preferred by the petitioner seeking the following reliefs:- “(I) Issue a writ of mandamus, or any other appropriate writ, order or direction, directing the respondents, including the Registry/Computer Branch of this Hon’ble Court and the District Court, Udham Singh Nagar, to redact/remove the name of the petitioner from the E-Courts Services website (services.ecourts.gov.in) in connection with Criminal Case No.1892/2023, under Sections 323, 504, 506 IPC, registered at P.S. Transit Camp, District Udham Singh Nagar. (II) Issue a writ, order or direction, in the nature of mandamus commanding the respondents to direct the Respondents to display the name of the petitioner on the E-Courts Services, in relation to the aforesaid case, by way of a pseudonym such as “ABC”, “XYZ”, etc., in substitution of his actual name.”



		5. It is contended by learned counsel for the petitioner that an FIR was lodged against the petitioner being Criminal Case No. 92 of 2023. After investigation, chargesheet was filed in it and cognizance was taken in the matter. Thereafter, a compounding application was filed and the entire proceedings emanating therefrom were quashed by the High Court vide its judgment and order dated 06.06.2024. 6. The grievance of the petitioner is that despite the entire criminal proceedings against the petitioner have been quashed by this Court, the name of the petitioner still continues to be reflected as an accused on the digital e-courts portal. It is further submitted that the petitioner is currently working as a Software Professional and continued reflection of his name in digital e-courts portal is likely to prejudice his future career prospects. Thus, it is prayed that the petitioner's name be deleted, replaced or masked with a pseudonym. 7. In support of his contention, learned counsel for the petitioner has relied upon various judgments passed by the Hon'ble Apex Court as well Hon'ble High Courts to submit that time to time, directions have been issued establishing that once a criminal case is quashed or finally decided, the party has a 'Right to be Forgotten'. 8. Respondent no. 2 has filed its counter-affidavit in which it is submitted that in principle, they are in agreement with the judgment and law as laid down by Hon'ble Supreme Court and various High Courts. However, the Registrar General has expressed his limitations in masking the name of the petitioner in absence of any
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		specific direction/guidelines. It is further pleaded that if he masked or hide the name of the petitioner, then it would amount to interfering with the judgment of the Hon'ble High Court. 9. Masking, in the context of the present proceedings, refers to the replacement of a party's name and such other personal identifiers (including address and identity details) as are necessary, with a neutral reference such as "ABC" or "XYZ" in the publicly accessible digital version of a judicial record. It is a direction to a court's registry to modify the publicly accessible version of the record in this limited respect, while preserving the complete un-redacted version in the court's internal records without any modification. 10. Masking does not erase the judgment. The reasoning, findings, legal conclusions, case number, the court details, date, etc. remain entirely intact and publicly accessible. The judgment continues to serve every institutional and precedential purpose that it was intended to serve. What changes is only the direct association between a specific individual's name and the judicial record in the public digital domain. A person's name ceases to function as the searchable key that unlocks the record for casual public access. The record itself, in all its substance, remains accessible to courts, parties, advocates, authorities, and any person who seeks it through purposeful means. 11. The entitlement to masking flows from the same constitutional foundation as the entitlement to de-indexing, that is, the right to informational privacy as a facet of Article
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			21, as recognised in the case of K.S.Puttaswamy Vs. Union of India. The proportionality analysis that underlies the right to be forgotten is equally applicable. The continued association of an individual's name with a judicial record in the public digital domain causes disproportionate harm to informational privacy, dignity and reputation that is not justified by any legitimate public interest in the eligible categories identified in this judgment. 12. In cases of acquittal, discharge, or quashing, the presumption of innocence (a substantive guarantee under Article 21), requires that the judicial determination of innocence be given full practical effect. Masking gives that determination its full effect at the level of the court record itself. In cases of settlement, the consensual extinguishment of the proceedings by the complainant removes any basis for the continued association of the individual's name with the record. In matrimonial and purely private civil disputes, K.S. Puttaswamy (supra), at para 323, identifies the sanctity of family life, marriage and personal relationships as lying at the very core of the protected zone of privacy. The intimate details of such proceedings have no legitimate claim to continued name-based retrievability once they have concluded. 13. The question of jurisdiction in relation to masking requires careful consideration. Unlike de-indexing, which is a direction to a private platform, “masking” would involve a direction to a Court or more precisely to a Court's registry, to modify the publicly accessible version of its own judicial record.
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			14. The following parameters would govern the grant of relief of masking: (i) Only names and personal identifiers are masked, not the substance of the judgment. The reasoning, findings, legal conclusions, case number, court details, relevant dates, etc. remain intact and publicly accessible. The judicial record retains its full institutional, precedential and accountability functions. (ii) The complete and un-redacted version of the judgment is preserved in the court's internal records without exception. Masking applies only to the publicly accessible digital versions. The un-redacted version remains accessible to courts, parties, advocates, and authorities with a legitimate legal purpose. (iii) Masking operates both retrospectively, in respect of the existing publicly accessible digital version and prospectively, in respect of any future digitisation or uploading. (iv) A masking order by the concerned Court constitutes an order of a Court of competent jurisdiction for the purposes of Rule 3(1)(d) of the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021. Upon receipt of such an order, Google and other search engine operators are obliged to de-index the masked judgment from name-based search results and 'Indian Kanoon' and other hosts are obliged to disable name-based search functionality on their platform/s in respect of that judgment. The concerned Court may expressly include this direction in its masking order. (v) The concerned Court retains jurisdiction to review and revoke a masking direction if subsequent circumstances bring the matter within the absolute bars or other categories where relief is not available. (vi) Masking applications must be disposed of expeditiously, having regard to the continuing nature of the harm caused by the availability of personal identifiers in the
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			public digital domain. 15. Accordingly, the present writ petition is allowed. 16. Since, the entire proceedings against the petitioner have already been quashed by this Court, vide its judgment and order dated 06.06.2024, therefore, the Registry/Computer Branch of this Court as well as the District Court, Udham Singh Nagar is hereby directed to remove the actual name of the petitioner from the E-Courts Services website (services.ecourts.gov.in) and replace it with a pseudonym/neutral reference such as 'ABC' or 'XYZ' in connection with Criminal Case No.1892/2023, under Sections 323, 504, 506 IPC, registered at P.S. Transit Camp, District Udham Singh Nagar. (Alok Mahra J.) 17.09.2026 Ujjwal
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