

ITEM NO.38

Court 7 (Video Conferencing)

SECTION II

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Cr1.) No(s). 1983/2021

(Arising out of impugned final judgment and order dated 25-02-2021 in CRMABA No. 2640/2021 passed by the High Court Of Judicature At Allahabad)

APARNA PUROHIT

Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH

Respondent(s)

(FOR I.R. and IA No.32030/2021-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.32032/2021-EXEMPTION FROM FILING O.T. and IA No.32029/2021-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 05-03-2021 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ASHOK BHUSHAN
HON'BLE MR. JUSTICE R. SUBHASH REDDY

For Petitioner(s)

Mr. Mukul Rohatgi, Sr. Adv.
Mr. Sidharth Luthra, Sr. Adv.
Ms. Ruby Singh Ahuja, Adv.
Mr. Sai Krishna, Adv.
Mr. Siddharth Agrawal, Adv.
Mr. Rohan Jaitley, Adv.
Mr. Sidharth Chopra, Adv.
Ms. Deepti Sarin, Adv.
Ms. Swikriti Singhania, Adv.
Mr. Navandeep Matta, Adv.
Mr. Ashutosh P. Shukla, Adv.
Mr. Vasu Singh, Adv.
Mr. Nitin Sharma, Adv.
Mr. Monica Datta, Adv.
Ms. Savni D. Endlaw, Adv.
Mr. Sumant Narang, Adv.
Mr. Abhishek Gurbani, Adv.
For M/S. Karanjawala & Co.

For Respondent(s)

Mr. Tushar Mehta, SG
Ms. Garima Prashad, Adv.

UPON hearing the counsel the Court made the following

O R D E R

Learned senior counsel appearing for the petitioner prays that

the Union of India be impleaded as respondent No.2.

Let the Union of India be impleaded as party - respondent No.2.

Amended memo of parties be filed.

Mr. Tushar Mehta, the learned Solicitor General appears on behalf of the Union of India.

One of the issues, which have been cropped up in the facts of the present case, is regarding control and regulation of platform on which web-series are released.

Mr. Mukul Rohatgi, learned senior counsel informed us that the Government of India has issued notification dated 25.02.2021 and introduced Rules namely The Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021.

A perusal of the Rules indicate that the Rules are more and more in the form of guidelines and have no effective mechanism for either screening or taking appropriate action for those who violates the guidelines.

Mr. Tushar Mehta, the learned Solicitor General submits that the Government shall consider and take appropriate steps for regulation or legislation as may be found fit by the Government and the same shall be placed before the Court.

Learned senior counsel for the petitioner submits that with regard to FIR lodged at Lucknow being FIR No. 31/2021, she is co-operating with the investigation and the High Court has already granted protection to the petitioner. Learned counsel for the petitioner further submits that she is ready to co-operate with the investigation in FIR 14/2021. It is submitted that the petitioner

is not involved with the production, writing, direction of the web-series and is merely an officer of the Company which owns the platform on which the web series was released. The petitioner is head of India Originals of Amazon Prime Video i.e. the OTT streaming service of Amazon Seller Services Pvt. Ltd.

Considering the submissions of learned counsel, issue notice.

In the meanwhile, we direct that the petitioner shall not be arrested in FIR No. 14/2021 subject to her co-operation with the investigation. She shall appear before the Investigating Officer as and when required.

(MEENAKSHI KOHLI)
ASTT. REGISTRAR-cum-PS

(RENU KAPOOR)
BRANCH OFFICER