



2024: DHC: 1332-DB



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

+ W.P.(C) 2415/2024 and CM APPL. 9921/2024

RAGHAV AWASTHI

..... Petitioner

Through: Petitioner in person (Through VC)

Versus

UNION OF INDIA & ORS.

..... Respondents

Through: Mr. Chetan Sharma, Ld. ASG with
Mr. Apoorv Kurup, CGSC, Ms. Nidhi
Mittal, Mr. Amit Gupta, Mr. Akhil
Hasija and Ms. Gauri, Advocates for
R-1, R-4, R-6 and R-7
Ms. Mamta Jha, Mr. Rohan Ahuja,
Ms. Shruttima Ehersa and Ms. Diya
Viswanath, Advocates for R-8

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Date of Decision: 19th February, 2024

CORAM:

HON'BLE THE ACTING CHIEF JUSTICE

HON'BLE MS. JUSTICE MANMEET PRITAM SINGH ARORA

JUDGMENT

MANMOHAN, ACJ : (ORAL)

CM APPL. 9922/2024 (for exemption)

Allowed, subject to all just exceptions.

Accordingly, the present application stands disposed of.

W.P.(C) 2415/2024 and CM APPL. 9921/2024

1. Present writ petition has been filed seeking directions to the Respondents to frame guidelines to the effect that no media outlet is



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permitted to publish any source-based speculation as to whether any government officer/diplomat posted abroad is working for Indian Intelligence Agency and to further direct the Respondent No. 1 to block the URL of the article dated 30th November, 2023 published in an online news magazine “The Print”.

2. The Petitioner, who appears in person states that the news article dated 30th November, 2023 compromises the career of the officers mentioned therein. He states that since they have been branded as Intelligence Officers, they would not be able to work at any other Indian mission elsewhere. He further states that some of them have relatives and family members who are working as diplomats in sensitive posts and the fact that their identities have been disclosed would mean that their relatives and family members would not only have their careers compromised but would also put them in the way of physical harm.

3. This Court is of the view that the contentions and submissions advanced by the Petitioner, who is an advocate are mere surmises and conjectures, which are based on hearsay.

4. The impugned article involves facets of freedom of press as well as right to know. In the prima facie opinion of this Court, the impugned article does not compromise the careers of the Officers or puts the life of their family members in any physical harm. In any event, the Government of India has full authority under applicable law to take action against any periodical or to take-down any article which, in its opinion compromises national safety and security. The Union of India requires no advice or aid or assistance of the Petitioner. Issues of intelligence or relations between Government of India and foreign States need to be handled with extreme



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care and caution. The Courts should not easily transgress into this space.

5. Accordingly, the present writ petition and application are dismissed.

ACTING CHIEF JUSTICE

MANMEET PRITAM SINGH ARORA, J

FEBRUARY 19, 2024/rhc