

17.11.2022
Court No.13
Item No.3
sp

WPA 23602 of 2019

Hasin Jahan
Vs.
The State of West Bengal & Ors.

Mr. Ashis Kumar Chowdhury,
Mr. Rajib Ghosh,
Mr. Rohan Paul

...for the petitioner

Mr. Samrat Sen, Id. A.A.G.,
Mr. Biswabrata Basu Mallick,
Mrs. Amrita Panja Moulick

...for the State

The writ petitioner is aggrieved by certain Youtube and Facebook comments made about her by the public at large in respect of her marital relationship with her estranged husband. The petitioner has lodged a complaint in this regard with the Cyber Police Station, Kolkata. The writ petition has not been pursued since 2019.

Counsel for the State has produced instructions of the Officer-in-Charge, Cyber Police Station, Kolkata, dated 16.11.2022, addressed to the learned State Advocate, stating that they have contacted with the Youtube authorities for details of the publishers of the comments.

This Court is of the view that it would be futile to proceed against such persons given their large

numbers. However, the Youtube authorities shall attempt to ensure that personal, defamatory and derogatory comments against the petitioner are not published and deleted from their respective sites.

With the aforesaid observations keeping on record the instructions of the Officer-in-Charge, Cyber Police Station, Kolkata dated 16.11.2022, addressed to the learned State Advocate, the writ petition shall stand disposed of.

The petitioner shall communicate the particulars of the posts and material which she finds to be defamatory from the aforesaid publication to the police for onward transmission to the Youtube authorities.

There shall be no order as to costs.

All parties shall act on the server copy of this order duly downloaded from the official website of this Court.

(Rajasekhar Mantha, J.)