

Most Urgent/Out at once

**OFFICE OF THE PRINCIPAL DISTRICT & SESSIONS JUDGE (HQ): DELHI**

No. ~~11/209-439~~/Genl./HCS/2022

Dated, Delhi the 01 NOV 2022

**Sub: Order/Judgment dated 12.10.2022 passed by Hon'ble Supreme Court of India in M.A No. 901 of 2021 in W.P(Crl.) No. 199 of 2013 titled "Peoples' Union for Civil Liberties vs. UOI".**

A copy of the letter bearing no. 5909-5921/DHC/Gaz/G-2/SC-Judgment/2022 dated 27.10.2022 received from Hon'ble High Court of Delhi, New Delhi and a copy of Order/Judgement dated 12.10.2022 passed by Hon'ble Supreme Court of India in the subject matter is circulated for information and necessary compliance to :-

1. All the Ld. Judicial Officers posted in Central District, Tis Hazari Courts, Delhi.
2. The Ld. Registrar General, Hon'ble High Court of Delhi, New Delhi for information.
3. PS to the Ld. Principal District & Sessions Judge (HQs), Tis Hazari Courts, Delhi for information.
4. The Chairman, Website Committee, Tis Hazari Courts, Delhi with the request to direct the concerned official to upload the same on the Website of Delhi District Courts.
5. The Director (Academics), Delhi Judicial Academy, Dwarka, New Delhi for information as requested vide letter no.DJA/Dir.(Acd)/2019/4306 dated 06.08.2019.
6. Dealing Assistant, R&I Branch for uploading the same on LAYERS.
7. For uploading the same on Centralized Website through LAYERS.

  
01/11/22

**(RAKESH PANDIT)**

Officer-in Charge, Genl. Branch, (C)  
Addl. District & Sessions Judge,  
Tis Hazari Courts, Delhi.

**Encl.: As above.**

1

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

No. 5909-5921 /DHC/Gaz/G-2/SC-Judgment/2022

Dated: 27<sup>th</sup> October, 2022.

From:

The Registrar General,  
High Court of Delhi,  
New Delhi-110003.

To,


1. The Principal District & Sessions Judge (HQ), Tis Hazari Courts Complex, Delhi.
2. The Principal District & Sessions Judge (East), Karkardooma Courts Complex, Delhi.
3. The Principal District & Sessions Judge (South), Saket Courts Complex, New Delhi.
4. The Principal District & Sessions Judge (North-West), Rohini Courts Complex, Delhi.
5. The Principal District & Sessions Judge (New Delhi), Patiala House Courts Complex, New Delhi.
6. The Principal District & Sessions Judge (North-East), Karkardooma Courts Complex, Delhi.
7. The Principal District & Sessions Judge (South-East), Saket Courts complex, Delhi.
8. The Principal District & Sessions Judge (North), Rohini Courts Complex, Delhi.
9. The Principal District & Sessions Judge (West), Tis Hazari Courts Complex, Delhi.
10. The Principal District & Sessions Judge (South -West), Dwarka Courts Complex, New Delhi.
11. The Principal District & Sessions Judge-cum-Special Judge (PC Act) (CBI), RACC, New Delhi.
12. The Principal District & Sessions Judge (Shahdara), Karkardooma Courts Complex, Delhi.
13. The Principal Judge (HQ), Family Courts, Dwarka, New Delhi.

Sub: Order/Judgment dated 12.10.2022 passed by Hon'ble Supreme Court of India in M.A No. 901 of 2021 in W.P(Cr.) No. 199 of 2013 titled "Peoples' Union for Civil Liberties vs. UOI"

Sir/Madam,

I am directed to request you to kindly download the Order/Judgment dated 12.10.2022 passed by Hon'ble Supreme Court of India in Miscellaneous Application No. 901 of 2021 in Writ Petition (Criminal) No. 199 of 2013 titled "Peoples' Union for Civil Liberties Vs. UOI & ORS" from the official website of Supreme Court of India and circulate the same amongst all the Judicial Officers working under your respective control for information and necessary compliance.

Yours faithfully,



(Surender Pal)  
Deputy Registrar (Gazette-IB)  
for Registrar General

Genl. Br.

P.O of SJ (Hqs)

28/10/22

IN THE SUPREME COURT OF INDIA  
CRIMINAL ORIGINAL JURISDICTION

MISCELLANEOUS APPLICATION NO.901 OF 2021

IN

WRIT PETITION (CRIMINAL) NO.199 OF 2013

PEOPLES UNION FOR CIVIL LIBERTIES

APPLICANT(S)/  
PETITIONER(S)

VERSUS

UNION OF INDIA & ORS.

NON-APPLICANT(S)/  
RESPONDENT(S)

O R D E R

This Miscellaneous Application submits that despite the ruling of this Court in *Shreya Singhal vs. Union of India*, reported in (2015) 5 SCC 1, the mandate is still not followed by various States or State Functionaries. The applicant, therefore, prays for the following reliefs:

- (a) Direct Respondent No.1 to ensure full compliance immediately with the judgment and final order dated 24.03.2015 in *Shreya Singhal v. Union of India*, reported as (2015) 5 SCC 1 through issuance of appropriate circulars/advisories addressed to the Chief Secretaries of all States and Union Territories, and the Director Generals of Police of all States and Union Territories,

Digitally signed by DEEPAK SINGH  
Date: 2023.10.11  
10:29:51  
Reason: I am the author

or equivalent officers thereof for onward circulation to the Police Stations;

- (b) Direct the Supreme Court Registry to dispatch a copy of the Judgment and final order dated 24.03.2015 in *Shreya Singhal v. Union of India*, reported as (2015) 5 SCC 1, to all High Courts to pass appropriate orders in pending cases concerning Section 66A of the IT Act as well appropriate circulars, bringing the *Shreya Singhal* judgement to the notice of all district courts within their jurisdiction to prevent failures of justice;
- (c) Direct Respondent No.1 to collect and furnish data for all prosecutions invoking Section 66A after 24.03.2015 before this Hon'ble Court in order to secure compliance with the *Shreya Singhal* Judgement."

In terms of the directions issued by this Court from time to time, certain information has been placed on record. Thereafter, the respondents herein were directed to file a comprehensive status report.

Mr. Zoheb Hussain, learned Advocate appearing for the Union of India, has placed on record All-India status report with regard to the pending cases under Section 66A of the Information Technology Act, 2000 (for short, 'the 2000 Act').

The information given in tabular form shows that despite the issue regarding validity of Section 66A of the 2000 Act having been pronounced upon by this

Court, number of crimes and criminal proceedings still reflect and rely upon the provisions of Section 66A of the 2000 Act and citizens are still facing prosecution for the alleged violation of Section 66A of the 2000 Act. Such criminal proceedings, in our view, are directly in the teeth of the directions issued by this Court in *Shreya Singhal* (supra). Consequently, we issue following directions:

- (a) It needs no reiteration that Section 66A of the 2000 Act has been found by this Court in *Shreya Singhal* (supra) to be violative of the Constitution of India and as such no citizen can be prosecuted for alleged violation of offence under Section 66A of the 2000 Act.
- (b) In all those case where alleged violation of Section 66A of the 2000 Act has been projected and citizens are facing prosecution for such alleged violation, the reference to Section 66A of the 2000 Act from all these crimes or criminal proceedings shall stand deleted.

- (c) We direct all the Directors General of Police as well as Home Secretaries of the States and Competent Officers in Union Territories to instruct the entire police force in their respective States/Union Territories not to register any complaint or crime with respect to alleged violation of Section 66A of the 2000 Act.
- (d) It is clarified here that these directions shall apply with respect to offence punishable under Section 66A of the 2000 Act. However, if the crime in question has other facets, namely, other offences are also alleged, the matter with respect to offences other than Section 66A of the 2000 Act can be gone into in accordance with law.
- (e) Whenever any publication, whether Government, Semi Government or Private, about Information Technology Act is made and Section 66A is quoted, the readers must adequately be informed about the fact that the provisions of Section 66A of the 2000 Act have already been found by this Court to

be violative of the Constitution of India.

With these directions, the instant Miscellaneous Application and other pending applications are disposed of.

....., CJI.  
(UDAY UMESH LALIT)

....., J.  
(AJAY RASTOGI)

....., J.  
(S. RAVINDRA BHAT)

NEW DELHI;  
OCTOBER 12, 2022

ITEM NO.35

COURT NO.1

SECTION PIL-W

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

Miscellaneous Application No. 901/2021 in W.P.(CrI.) No. 199/2013  
(Arising out of impugned final judgment and order dated 24-03-2015  
in W.P.(CrI.) No. No. 199/2013 passed by the Supreme Court of  
India)

PEOPLES UNION FOR CIVIL LIBERTIES

Petitioner(s)

VERSUS

UNION OF INDIA &amp; ORS.

Respondent(s)

(FOR ADMISSION and IA No.54799/2021-EXEMPTION FROM FILING AFFIDAVIT  
and IA No.54796/2021-APPROPRIATE ORDERS/DIRECTIONS)

Date : 12-10-2022 This matter was called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE AJAY RASTOGI  
HON'BLE MR. JUSTICE S. RAVINDRA BHAT

For Applicant(s)/  
Petitioner(s)

Mr. Sanjay Parikh, Sr. Adv.  
Ms. Aparna Bhat, AOR  
Mr. Apar Gupta, Adv.  
Ms. Vrinda Bhandari, Adv.  
Mr. Abhinav Sekhri, Adv.  
Mr. Tanmay Singh, Adv.  
Mr. Krishnesh Bapat, Adv.  
Mr. Satwik Parikh, Adv.

For Non-Applicant(s)/  
Respondent(s)

Mr. R. Venkataramani, AG  
Mr. Tushar Mehta, SG  
Mr. Zoheb Hossain, Adv.  
Mr. Kanu Agarwal, Adv.  
Mr. Udai Khanna, Adv.  
Ms. Shradha Deshmukh, Adv.  
Mr. Gurmeet Singh Makker, AOR  
  
Mr. Guru Krishnakumar, Sr. Adv.  
Mr. Deepayan Mandal, AOR  
Mr. Mridul Bansal, Adv.  
Mr. Naman Varma, Adv.



Mr. V. Giri, Sr. Adv.  
Mr. T. G. Narayanan Nair, AOR  
Mr. Amit Sharma, Adv.

Mr. Soumya Chakraborty, Sr. Adv.  
Mr. Sudeep Kumar, AOR

Mr. K.M.Nataraj, ASG  
Mr. Raghavendra S. Srivatsa, AOR  
Ms. Komal Mundhra, Adv.  
Mr. Likhi Chand Bansal, Adv

Ms. Garima Prashad, AAG/Sr. Adv.  
Mr. Pradeep Misra, AOR  
Mr. Suraj Singh, Adv  
Ms. Deepika Kalia, Adv

Dr. Manish Singhvi, Sr. Adv  
Mr. Arpit Prakash, Adv.  
Mr. Vikalp Sharma. Adv.  
Mr. Sandeep Kumar Jha, AOR

Ms. Astha Sharma, AOR  
Mr. Ravinder Singh, Adv.  
Ms. Raveesha Gupta, Adv.  
Ms. Manika Haryani, Adv.  
Mr. Shreyas Awasthi, Adv.  
Mr. Sanjeev Kaushik, Adv.  
Ms. Deeksha Agrawal, Adv.

Mr. Sunny Choudhary, ACR  
Mr. Aakash Nandolia, Adv.

Mr. D.Kumanan, AOR

Mr. Apoorv Kurup, AOR

Mr. Sunando Raha, Adv.  
Mr. Anupam Raina, AOR

Mr. Avneesh Arputham, Adv.  
Ms. Anuradha Arputham, Adv.  
Mr. Ankit Sharma, Adv.  
M/S. Arputham Aruna And Co, AOR

Mr. Kanhaiya Singhal, AOR  
Mr. Udit Bakshi, Adv.  
Mr. Prasanna, Adv.

Mr. Chetan Bhardwaj, Adv  
Ms. Priyal Garg, Adv.  
Mr. Ajay Kumar, Adv.

Ms. Deepanwita Priyanka, AOR

Mr. Akshay C. Shrivastava, Adv.  
Mr. Abhinav Mukerji, AOR  
Ms. Bihu Sharma, Adv  
Ms. Pratishtha Vij, Adv.

Mr. Krishnam Mishra, Adv.  
Mr. Rajeev Kumar Dubey, Adv.  
Mr. Ashiwan Mishra, Adv.  
Ms. Vaidruti Mishra, Adv.  
Mr. Kamlendra Mishra, AOR

Ms. K. Enatoli Sema, AOR  
Ms. Limayinla Jamir, Adv.  
Mr. Amit Kumar Singh, Adv.  
Ms. Chubalemla Chang, Adv.  
Mr. prang Newmai, Adv.

Ms. Radhika Gautam, AOR

Ms. Diksha Rai, AOR  
Ms. Ragini Pandey, Adv.

Mr. Ravindra S Garia, AOR  
Mr. Shashank Singh, Adv.  
Ms. Sakshi Raghuvanshi, Adv.  
Mr. Om Narayan, Adv

Mr. Arjun Garg, AOR  
Mr. Aaksh Nandolia, Adv  
Ms. Sagun Srivastava, Adv.

Mr. Avijit Mani Tripathi, AOR  
Mr. Marbiang Khongwir, Adv.  
Mr. T.K. Nayak, Adv.

Mr. Abhimanyu Tewari, AOR  
Ms. Eliza Bar, Adv.

Mr. Kunal Chatterji, AOR  
Ms. Maitrayee Banerjee, Adv.  
Mr. Rohit Bansal, Adv.

Ms. Uttara Babbar, AOR

Mr. S. Udaya Kumar Sagar, AOR  
Ms. Sweena Nair, Adv.

Mr. Sanjay Kumar Visen, AOR

Mr. Shuvodeep Roy, AOR  
Mr. Kumar Arnav Singh Dèo, Adv.

Mr. Sandeep Sudhakar Deshmukh, AOR

Mr. Tapesk Kumar Singh, AOR  
Mr. Aditya Pratap Singh, Adv.  
Ms. Meenakshi S. Kauble, Adv.  
Mr. Hitesh Kumar Sharma, Adv.  
Mr. Akhileshwar Jha, Adv.  
Ms. Niharika Dwivedi, Adv.  
Mr. Narendra Pal Sharma, Adv.  
Ms. Manshwy Jha, Adv.  
Mr. Naresh K. Sharma, AOR

Mr. Sameer Abhyankar, AOR  
Ms. Yesi Rinchhen, Adv.  
Ms. Nishi Sangtani, adv.  
Mr. Abhinav Mishra, Adv.  
Ms. Vani Vandana Chhetri, Adv.

M/S. Plr Chambers And Co., AOR

Mr. Sanjay Kharde, Adv.  
Mr. Siddharth Dharmadhikari, Adv.  
Mr. Aaditya Aniruddha Pande, AOR  
Mr. Bharat Bagla, Adv.

Mr. Mukesh K. Giri, AOR

Mr. Sumeer Sodhi, AOR  
Mr. Dhruv Wadhwa, Adv.

Dr. Joseph Aristotle S., AOR  
Ms. Nupur Sharma, Adv.  
Mr. Shobhit Dwivedi, Adv.  
Ms. Vaidehi Rastogi, Adv.  
Mr. Gaurav Agrawal, AOR

Ms. Sneha Kalita, AOR

Ms. Taruna Ardhendumauli Prasad, AOR

Mr. Mahesh Thakur, AOR

Mr. Ajay Pal, AOR  
Mr. Mayank Dahiya, Adv.  
Ms. Priyanka C., Adv.

Mr. Saket Singh, Adv.  
Mrs. Niranjana Singh, AOR

Mr. Tapesh Kumar Singh, AAG  
Mr. Rajiv Shankar Dwivedi, Adv.  
Mr. Kumar Anurag Singh, Adv.  
Ms. Tulika Mukherjee, AOR  
Mr. Beenu Sharma, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

The instant Miscellaneous Application and  
other pending applications are disposed of in terms  
of the signed order.

(NEETU KHAJURIA)  
ASTT. REGISTRAR-cum-PS

(VIRENDER SINGH)  
COURT MASTER

(Signed order is placed on the file.)