



CNR: KAHC010669432025

NC: 2026:KHC:51044
WP No. 31335 of 2025

IN THE HIGH COURT OF KARNATAKA AT BENGALURU
DATED THIS THE 18TH DAY OF SEPTEMBER, 2026
BEFORE
THE HON'BLE MR. JUSTICE C.M. POONACHA
WRIT PETITION NO. 31335 OF 2025 (GM-RES)

BETWEEN:

1. SRI SAJJAN POOVAIAH
AGED 38 YEARS,
S/O LATE B M POOVAIAH,
R/AT NO.A2-011,
CENTURY COMMANDERS VISTA APARTMENTS,
ANANTHAPURA, ATTUR,
YELAHANKA NEW TOWN,
BANGALORE-560064

...PETITIONER

(BY SRI. UDAYA KUMAR H.B.,ADVOCATE)

AND:

1. THE REGISTRAR GENERAL
HIGH COURT OF KARNATAKA,
BENGALURU - 560001
2. INDIANKANOON COM BENGALURU
NO.724, 1ST FLOOR,
9TH CROSS, 10TH MAIN ROAD,
INDIRANAGAR
BANGALORE-560038
WEBMASTER@ INDIANKANOON.COM
PROPRIETORSHIP CONCERN

REP. BY PROPRIETOR
MR SUSHANT SINHA
REG UNDER THE COMPANIES ACT 2013





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3. CASEMINE (PVT. LTD.)
2102-2103, EXPRESS TRADE TOWER 2,
SECTOR 132, NOIDA,
UTTAR PRADESH PIN 201301
UNIT 207, 2ND FLOOR,
SIGNATURE TOWER-II, TOWER A,
SECTOR 15 PART II,
SILOKHERA, GURGAON,
HARYANA 122001

REP BY MR NIRUDDHA YADAV
PRIVATE LIMITED COMPANY
ASSOCIATED WITH A LEGAL ENTITY
GAUGE DATE SOLUTIONS PVT LTD
REG UNDER THE COMPANIES ACT 2013
4. YAHOO INDIAN PVT LTD
TORREY PINES, EMBASSY GOLF LINKS,
BUSINESS PARK OFFICE,
INTERMEDIATE RING ROAD,
DOMLUR, BANGALORE-60071
REP BY GRIEVENCE OFFICER
MANASI VALANKER
PRIVATE LIMITED COMPANY
REG UNDER THE COMPANIES ACT 2000
5. GOOGLE LLC
1600 AMPHITHEATRE PARKWAY
MOUNTAIN VIEW, CA 94043
UNITED STATES OF AMERICA
Email: support-in@google.com

...RESPONDENTS

(BY SRI. MADHUKAR M DESHPANDE, ADVOCATE FOR R1
SRI VEDANTH ANAND CHUGH, ADVOCATE FOR R2
R3 SD.,
SRI YADHAV THAMPI, ADVOCATE FOR R4
SRI MANU KULKARNI ADVOCATE FOR
SRI VISHWAS N FOR R5)



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THIS WP IS FILED UNDER ARTICLES 226 AND 227 OF THE CONSTITUTION OF INDIA PRAYING TO ISSUE A WRIT IN THE NATURE OF MANDAMUS OR ANY OTHER APPROPRIATE WRIT, ORDER, OR DIRECTION DIRECTING THE 1 RESPONDENT, THE HON'BLE HIGH COURT'S REGISTRY, TO REMOVE/SEAL THE NAME OF THE PETITIONER FROM THE CASE TITLED AS SAJJAN POOVAIAH VS. THE STATE OF KARNATAKA BY RAMAMURTY NAGAR POLICE, IN CRL.NO.124/2021, DATED 5/2/2021, AS PER ANNEXURE-B, BY CONSIDERING THE TRIAL COURT ORDER DATED 2/2/2024 IN SPL.CC.483/2022 AS PER ANNEXURE-A, PASSED BY LEARNED JUDGE XXXIII ADDL.CITY CIVIL AND SESSIONS JUDGE AND SPL JUDGE (NDPS), BENGALURU CCH-33. ETC.,

THIS PETITION, COMING ON FOR FINAL HEARING, THIS DAY, ORDER WAS MADE THEREIN AS UNDER:

CORAM: HON'BLE MR. JUSTICE C.M. POONACHA

ORAL ORDER

The present writ petition is filed seeking for the following reliefs:

" a) Issue a writ in the nature of mandamus or any other appropriate writ, order, or direction directing the 1st respondent, the Hon'ble High Court's registry, to remove/seal the name of the petitioner from the case titled as Sajjan Poovaiah vs. the State of Karnataka by Ramamurty Bagar Police, in Crl.No.124/2021, dated 5/2/2021, as per Annexure-B, by considering the Trial Court order dated 2/2/2024 in Spl.CC.483/2022 as per Annexure-A, passed by learned judge XXXIII Addl.City Civil and Sessions Judge and Spl Judge (NDPS), Bengaluru CCH-33.

b) Issue a writ of mandamus or any other appropriate writ, to the respondents 2 to 5 to

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mask/seal the name of the petitioner from their website and various other 3rd parties.

c) issue a writ of mandamus or any other appropriate writ, directing the online court records and 3rd party legal records website(intermediaries) to seal/ remove the name of the petitioner from their website.

d. issue a writ of mandamus or any other appropriate writ, to seal the name of the petitioner even from the present petition.

e. issue a writ of mandamus or any other appropriate writ, pass such other writ or order or direction which this hon'ble court deems necessary for safeguarding the petitioner's dignity, including availing the petitioner the right to be forgotten in the interest of justice and equity."

2. The case of the petitioner in a nutshell is that he was arrayed as accused No.4 in CC.No.370/2020. That the petitioner was initially released on bail pursuant to the order dated 05.02.2021 passed in Criminal Petition No.124/2021 (Annexure-B to the writ petition). That he has filed Criminal Petition No.4198/2021 for cancellation of condition No.4 imposed vide order dated 05.02.2021 passed in Criminal Petition No.124/2021. This Court vide order dated 15.06.2021 allowed the said petition and relaxed the said condition No.4.

3. Subsequently, the petitioner filed an application under Section 227 of Code of Criminal Procedure, 1973 for discharge, which was allowed by the Court of XXXIII Additional



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City Civil and Sessions Judge and Special Judge (NDPS), Bengaluru, CCH-33¹ in Spl.CC.No.488/2022 vide order dated 02.02.2024 (Annexure-A to the writ petition). Pursuant to the said order passed by the Sessions Court, the petitioner (who was arrayed as accused No.4 in CC.No.370/2020) was discharged from the said criminal case.

4. It is the case of the petitioner that despite the petitioner being discharged from the said criminal case, the details of the case appear on the website of the respondents, wherein the name of the petitioner and other details are continued to be available online which has adversely affect the petitioner in as much as he has been terminated from his employment after registration of the said criminal case and that the other employment opportunities of the petitioner are also being affected. That despite the petitioner having a good academic record and having completed Masters in Business Administration², as also having worked as a subject matter expert, the details of the petitioner being available online has adversely affected both his personal and professional life. The

¹ Hereinafter referred to as 'Sessions Court'

² Hereinafter referred to as 'MBA'



petitioner has averred in detail in the petition as regards to various academic achievements as well as sporting achievements. Hence, the present writ petition is filed seeking for adequate reliefs.

5. The respondents have entered appearance and submissions on behalf of the respondents have been heard. A wide range of submissions have been made by the respondents individually as well as collectively

6. Submissions on behalf of respondent No.1 are made with regard to the records that are maintained by this Court. Submissions on behalf of respondent Nos.2 and 3 are made with regard to the impact that orders would have on the nature of business activities that are carried out by the said respondents i.e., the said respondents being search engines, where the case laws are available, any order in the present petition would also effect their rights. Submission on behalf of respondent Nos.4 and 5 are also made with regard to the nature of business activity carried on by them.

7. The submissions made on behalf of the respondents are also to the effect that there are various statutory provisions



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regulating the aspect of relief sought for in the present writ petition and hence, the relief sought for by petitioner in the present petition ought not be granted, having regard to the statutory enactments that are in force.

8. Reliance is placed by the learned counsels on various judgments.

9. Having regard to the factual matrix of the present case, the issue that falls for consideration is not proposed to be discussed as to the entire width and ambit as to the effect of the orders for masking / disabling / de-indexing. Suffice to note that the facts of the present case are limited to the petitioner who having been arrayed as accused in a criminal case and having been discharged from the same, the continuous appearing of his name is adversely affecting his personal and professional life.

10. In this context, it is pertinent to note that a Co-ordinate Bench of this Court vide order dated 27.07.2026 passed in WP.No.22456/2025³ considered a similar fact situation wherein the writ petitioner was acquitted of a criminal

³ NC:2026-KHC:38819



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charges that he was prosecuted for under the provisions of the Immoral Traffic (Prevention) Act, 1956 as well as Section 14 of the Foreigners Act, 1946. This Court considering the fact that the petitioner in the said case was acquitted of the criminal charges and having regard to the fact that the continued appearance of the name of the petitioner in the said case had effected his dignity, noticing the Constitutional Bench of the Supreme Court in the case of ***K.S Puttaswamy v Union of India***⁴ as well as the High Court of Delhi in the case of ***SJ v. Union of India***⁵ allowed the writ petition. The operative portion of the said order reads as under:

"ORDER

(i) *The criminal petition is allowed.*

(ii) *Mandamus issues to respondent Nos.1 to 5 to forthwith mask the name of the petitioner in the digital records pertaining to SC.No.547/2015 or Criminal Petition No.1628/2014 connected with Criminal Petition Nos.1637/2014 and 1979/2014, failing which, the petitioner is at liberty to initiate proceedings seeking to unleash the coercive arm of law.*

Ordered accordingly. "

11. In the course of submissions, reference has also been made to a Co-ordinate Bench judgment of the Delhi High

⁴ (2017) 10 SCC 1

⁵ (2023) SCC Online Del 3309



Court in the case of **Laksh Vir Singh Yadav V.s Union of India and Others**⁶ whereunder, the Delhi High Court considered a batch of matters where various issues pertaining to details of persons who are arrayed in litigations, which are available online, on websites and various attendant aspects were considered. The legal parameters for granting reliefs for masking were specifically considered. The relevant portion of the said judgment on the said aspect reads as under:

"Legal Parameters of granting the relief of Masking

215. *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 21, as recognised in K.S. Puttaswamy (supra). 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.*

216. *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*

⁶ 2026 SCC Online Del 4491



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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.

217. The same absolute bars that deny de-indexing in cases of convictions for offences against women or children, breach of public trust, and the public conduct of public figures, apply equally to masking. There is no separate or more permissive standard.

218. 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.

219. The general principle, consistently applied by courts in India, is that a request for masking or anonymisation of a judicial record ought to be made before the court that rendered the original order or judgment. In Abhishek Beri v. Union of India, W.P.(C) 15145/2024, this Court observed that directions for masking can be issued by the concerned court that rendered the original order or judgment. The underlying rationale for this position is that the originating court has direct supervisory authority over its own registry/records, and is in the best position to carry out the modification while ensuring the un-redacted version is properly preserved. For this reason, in the opinion of this Court, masking of subordinate court records is more appropriately left to the originating court.

220. 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.



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- (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 public digital domain."*

12. Reference was made on behalf of the respondents to the fact that, orders for masking should be made by the concerned Court as well as to the extent to which an order for masking / de-indexing/ disabling ought to be made. In this context, the relevant portion of the judgment in **Laksh Vir Singh Yadav⁶** is as under:

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"Liberty to Seek Masking from Concerned Courts"

221. *Where this Court has directed de-indexing in respect of any of the petitioners, such petitioners shall also be at liberty to seek masking of their names and personal identifiers from the publicly accessible digital versions of the relevant judicial record by moving an appropriate application before the concerned Court that rendered the original order or judgment. Such an application, where made, shall be decided expeditiously.*

222.

Petitioners involving acquittal, discharge and quashing

223. *The largest group of petitions before this Court involves persons who have been acquitted of criminal charges, discharged from criminal proceedings, or whose cases have been quashed. These petitions share a common foundation that the judicial process has formally determined that the criminal allegations against these persons were not established.*

224. *The right to reputation, recognised as an inseparable facet of Article 21 in Umesh Kumar v. State of A.P.12., (2013) 10 SCC 591 : (2014) 1 SCC (Cri) 338 and Om Prakash Chautala v. Kanwar Bhan13 (2014) 5 SCC 417, requires that legal exoneration be given full effect, including in the digital domain. It is, therefore, held that persons, who have been acquitted, discharged, or whose proceedings have been quashed are entitled to have that legal determination reflected in their digital identity/persona. The question in each case is whether any specific competing interest qualifies or limits that entitlement.*

W.P.(C) 3918/2021

225. *The petitioner stands acquitted of criminal charges by concurrent findings of two courts including this Court. The proceedings have attained finality. The petitioner is a private individual. There is nothing in the record to suggest that the subject matter retains any continuing relevance to any matter of public concern,*

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or that the petitioner continues in any role where these proceedings would bear upon any legitimate public assessment of him. The right to informational privacy under Article 21 entitles the petitioner to relief. Accordingly, the concerned respondents/search engine operators/legal database platforms are directed to de-index, and disable, across all platforms and domains, name-based search functionality in respect of the judgments/orders/news articles complained of in the petition."

13. Although various conditions are put forth as to the scope, width, ambit and extent to which orders could be passed, in the considered opinion of this Court, such questions are to be adjudicated having regard to the facts of the particular case.

14. In the facts of the present case, keeping in mind the legal proposition as noticed above, having regard to the fact that the right of reputation has been recognized to be an inseparable facet of the right under Article 21 of Constitution of India, the relief sought for by the petitioner in the present writ petition merits consideration. Hence, the following:

ORDER

- i. The writ petition is ***partly allowed***;
- ii. Respondents are directed to mask/ de-index/ disable the name of the petitioner from the

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platforms, domains, and the name based search functionality, URLs/Links, in the digital records with respect to the legal proceedings of the petitioner as noticed above;

- iii. It shall be open to the petitioner to furnish such details as may be required for purpose of implementing the orders of this Court;
- iv. This order shall be implemented for the present order as well.

15. Pending IAs., if any, stand disposed of.

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(C.M. POONACHA)
JUDGE

PNV
List No.: 3 Sl No.: 1