

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL WRIT PETITION NO. 1350 OF 2022**

Mrs. Jagruti Samir Bhatia

....Petitioner

Versus

Mr. Sameer @ Samir Girish Bhatia and Anr.

....Respondent

Mr. Ameya Tamhane for the Petitioner.

Mr. Vijay B.Dhingraja a/w.Ravish Mishraa a/w.Jevin Nathwani for
State/Respondent No.2.

CORAM : S. G. DIGE, J.

DATE : 16th DECEMBER, 2022.

P.C. :

1. Heard learned counsel for the petitioner and learned counsel for the Respondent. Learned Counsel for petitioner submits that the respondent has uploaded his profile on Shaadi.com and in the said profile he has stated about his income. Petitioner wants to examine the person from Shaadi.com to strengthen the case of petitioner to get maintenance. But, the Family Court has rejected the application to issue the witness summons to the persons from Shaadi.com against the said order, this petition.

2. The learned counsel further submits that in the said profile uploaded by the respondent, respondent has given two mobile numbers

and his detailed information. He has stated about his income. It would be the strong evidence for petitioner to prove the in-come of respondent. Hence, requested to allow the petition.

3. The learned counsel for the respondent submits that mere uploading information on social media does not prove the income of any person. Learned Counsel further submits that respondent has denied the fact that he has not uploaded the said information on Shaadi.com., some other person had uploaded the said information. The respondent is not aware about it. Moreover, as per the view of Hon'ble Apex Court the persons income has to be assessed from the paying of Income tax and other taxes. Hence, requested to dismiss the petition.

4. I have heard both the learned counsels. Issue involved in this petition is whether it is necessary to call person from Shaadi.com as a witness. In my view, while uploading any information on any website, the authorities of Website does not verify the said information and it is not verified who is uploading it. As well as there is disclaimer mentioned in the page and website that we cannot guarantee and assume, no responsibility for verifying the accuracy of the information provided by the other users of the Website. You may not use the website for any unlawful

purpose. In my view if information uploaded on website is not verified and authenticated. The person whose information is uploaded is denying that he has uploaded it then it is not necessary to examine the person from said website.

5. At the most petitioner can argue all these points at the time of final hearing if he intends. In view of the above, I pass following order:

ORDER

Writ Petition is dismissed and disposed of.

(S. G. DIGE, J.)