

July 29, 2025
Sl. No.37
Court No.8
s.biswas

WPA(P) 268 of 2025

Soumayasankar Mukherjee
vs.
Union of India and others

Mr. Kamlesh Jha
Ms. Nabanita Chatterjee

... for the petitioner

Mr. Sirsanya Bandopadhyay
Mr. Prashant Kumar Tripathi

... for the State

Mr. Kumar Jyoti Tewari, Sr. Adv.
Mr. Arijit Majumdar

... for the Union of India

Mr. Bodhisatta Biswas

... for the respondent no.3

1. Affidavit of service filed on behalf of the petitioner is taken on record.
2. Heard the learned counsel for the parties on admission.
3. The petitioner has prayed for following relief in this petition. The learned counsel for the petitioner by taking this court to the Cable Television Networks (Regulation) Act, 1995, submits that as per Section 5 (Programme Code), no person shall transmit or retransmit through a cable service any programme unless such programme is infirmity with the prescribed Programme Code. The Cable Television Network Rules, 1994 (hereafter referred to as 'the Rules of 1994') are relied upon to contend that as per Rule 6 "Programme Code", Clause (d) of the Rules of 1994 prescribes that no programme which contains anything obscene, defamatory, deliberate, false and suggestive innuendos and

half truths. Learned counsel for the petitioner drew our attention to the photographs taken from video annexed at page nos.12, 13 and 15 of the petition and urged that such photographs/pictures shown are contrary to the Code/Rules.

4. In our opinion, the photographs taken from video at page nos.12 and 13 are totally blurred and nothing could be seen. Therefore, it cannot be said that Clause (d) of Rule 6 of the Rules of 1994 are breached in any manner.
5. Learned counsel for the petitioner also draws our attention to page no.15 which contains the name and partial facial photograph of the accused person.
6. However, despite repeated query, the learned counsel for the petitioner could not point out any statutory provision which prohibits disclosure of name of the accused person or his photograph in the media. Even otherwise, we do not find any element of public interest involved in this matter.
7. Thus, we find no reason to interfere in this PIL and hence it is dismissed.
8. Urgent photostat certified copy of this order, if applied for, be supplied to parties upon compliance of all necessary formalities.

(Sujoy Paul, J.)

(Smita Das De, J.)

