



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

WRIT PETITION NO.6643 OF 2024

XYZ

... Petitioner

-vs-

1. Union of India,
Through its Secretary,
Ministry of Communication
& Information Technology
Dept. of Electronics and Information
Technology, Electronics Niketan,
6, CGO Complex, Lodhi Road,
New Delhi – 110 003
2. The Registrar General
High Court of Bombay, Mumbai
3. National Informatics Centre,
114, Ganeshkhind Road, ICS Colony,
Ashok Nagar, Pune-411007
4. Indian Kanoon, Through its
Chief Executive Officer,
P.O.Box No.3804, Benguluru,
Kjarnataka – 560038
5. Google India Pvt. Ltd.
Head Office at Lock 1, Divya Shri Omega,
Survey No.13, Kondapur Village,
Hyderabad – 500032
6. Casemine.com, 2102-2103
Express Trade Tower-2, Sector-132,
Noida (U.P.)

... Respondents.

Shri J. B. Gandhi, Advocate for petitioner.

Shri C. J. Dhumane, Advocate for respondent No.1.

Shri Arjun Sambre, Advocate h/f Shri Abhay Sambre, for respondent No.2.

Shri Pankaj. V. Navlani, Advocate for husband of petitioner.

CORAM : ANIL S. KILOR AND RAJ D. WAKODE, JJ.

DATED : 20th February, 2026

Oral Judgment : (Per: Raj D. Wakode, J.)

Rule. Rule made returnable forthwith. Heard finally with consent of learned counsel for the parties.

Shri J. B. Gandhi, learned counsel for the petitioner submits that the petitioner has approached this Court seeking direction to the registry of this Court to mask the name of the petitioner in the judgment passed by this Court in Criminal Application No.77/2021 and Criminal Application (APL) No.213/2023.

2. The brief facts leading to filing of the present writ petition are as follows.

The petitioner was married to ABC.

The petitioner is a Bachelor as well Master in Finance and at present working in an IT company. The marriage of the petitioner was solemnized in the year 2019 however, the aforesaid marriage ended into serious matrimonial discord between the petitioner and her in-laws which led to various litigations at the behest of both the parties. The petitioner had filed FIR against her in-laws and her husband under Section 498-A read with Section 34 of Indian Penal Code. The petitioner had also filed proceedings

under Protection of Woman from Domestic Violence Act, 2005 at Amravati. Similarly, the mother-in-law of the petitioner had also filed proceedings against her at Ulhasnagar, Thane under the provisions of Domestic Violence Act.

3. Since the petitioner was residing at Amravati and the aforesaid proceedings were filed at Ulhasnagar, the petitioner approached this Court by filing Criminal Application No.77/2021 seeking transfer of the aforesaid case from Ulhasnagar, Thane to Amravati. This Court on 25/04/2022 rejected the aforesaid application. Copy of the order dated 25/04/2022 passed in Criminal Application No.77/2021 is at record page 17 (Annexure-A). The aforesaid matrimonial dispute however, ultimately culminated into mutual settlement after the intervention of the Mediator and the relatives. On the basis of such settlement, the petitioner and her husband filed proceedings for grant of divorce by mutual consent. The husband of the petitioner has paid Rs.36 lakh to the petitioner for full and final settlement and all the proceedings filed against the petitioner's in-laws were decided to be withdrawn by the petitioner. On the basis of such settlement, the in-laws of the petitioner filed Criminal Application (APL) No.213/2023 for quashing of FIR No.1645/2021 registered under Section 498-A read with Section 34 of the IPC. The petitioner was impleaded as respondent No.2 in the aforesaid Criminal Application and in view of settlement between the parties, the

aforesaid Criminal Application No.213/2023 filed by the husband and his relatives came to be allowed vide judgment dated 27/02/2023. Copy of the said judgment is at record page 20 (Annexure-B).

4. Perusal of the judgment dated 27/02/2023 would reveal that this Court in paragraph 3 of the said judgment has recorded that the petitioner has received an amount of Rs.36 lakh from her husband towards full and final settlement of matrimonial dispute. Copy of the aforesaid judgment was uploaded by the registry of this Court on the website. Copies of aforesaid orders can be seen whenever in the Google Search Engine the name of the petitioner or her husband is searched.

5. Shri J. B. Gandhi, learned counsel for the petitioner submits that the petitioner is working in a private sector in Information Technology company. Whenever the petitioner applies for a job, while inspecting the background check of the petitioner, the name of the petitioner in Google Search reflects that the petitioner has been involved in litigations. Such background check also reflects about the criminal cases filed by the petitioner against her husband. It also reflects that her mother-in-law had also filed criminal proceedings against the petitioner under the provisions of Domestic Violence Act. Apart from aforesaid professional hamper, further agony is being caused to the petitioner as whenever the parents of the petitioner look for a match for the petitioner so that she could move on and start her life again

as the petitioner is of a marriageable age and when any such proposal approaches to the petitioner and her parents, if they search about her in Google Search for any information, the amount of alimony received by the petitioner towards settlement reflects as mentioned in the order. As a result of which, the proposals which approach the petitioner discuss about the alimony amount of Rs.36 lakh received by the petitioner and this information is available to public at large at a click of a button. Thus, the privacy and security of the petitioner is also affected. In view of aforesaid difficulty faced by the petitioner, she has approached this Court by virtue of the present petition seeking direction as aforesaid.

6. In response to the notice issued by this Court, Shri C. J. Dhumane, learned counsel appears for respondent No.1 whereas Shri Arjun Sambre, learned counsel h/f Shri Abhay Sambre appears for respondent No.2. This Court vide order dated 14/11/2024 had directed the learned counsel Shri J. B. Gandhi to serve copy of the present petition to the counsel who represented the husband of the petitioner in the aforesaid criminal proceedings. Accordingly, Shri Pankaj Navlani, learned counsel appears for the husband of the petitioner. All the counsel appearing for the respondents have no objection if the name of the petitioner is masked in the aforesaid orders/judgment which are uploaded on the website of this Court.

7. The Honourable Supreme Court of India in case of *Justice K. S. Puttaswamy (Retd) and another vs. Union of India and Others (2017) 10 SCC 1* has held that right to privacy includes right to be forgotten. In view of this right of privacy, the petitioner is entitled to the protection of her fundamental right to privacy and has a right to erase contents that are unnecessary, irrelevant, inadequate or no longer relevant.

8. The learned counsel for the petitioner has relied upon the judgment dated 22/11/2022 (WP (C) No.29448 of 2021) passed by the High Court of Kerala at Ernakulam in case of *Adithya Gokul M. S. vs. Union of India*. In the said judgment, the Honourable Kerala High Court has decided a reference on the following question :

“ ... the question that has to be considered in this writ petition is as to whether, in writ petitions filed under Article 226 of the Constitution of India seeking a writ of mandamus commanding the statutory authority to consider the application for contracting marriage under the Special Marriage Act, 1954 or for registration of marriage under the Kerala Registration of Marriages (Common) Rules, 2008; a writ of habeas corpus seeking production of fiancée or minor children under illegal detention; etc., which are not matters involving public interest, a party to that proceedings can seek an order to mask his/her name and address and that of the party respondent (s) in the cause title of the judgment and also his/her name and that of the party respondent(s) in the body of the judgment, in order to protect his/her right to privacy, described as the ‘right to be let alone’.

9. After considering all the judgments of the Honourable Supreme Court of India and various High Courts, the Kerala High Court has held thus :

“ We declare and hold that in family and matrimonial cases, arising from the Family Court jurisdiction or otherwise and also in other cases where the law does not recognise the Open Court system, the Registry of the Court shall not publish personal information of the parties or shall not allow any form of publication containing the identity of the parties on the website or on any other information system maintained by the Court if the parties to such litigation so insist.

We hold that the Registry of the High Court is bound to publish privacy notices on its website in both English and Vernacular languages.”

10. In view of the aforesaid law settled by the Honourable Kerala High Court and the Honourable Apex Court of India, we are of the considered opinion that right to privacy of the petitioner includes her right to be forgotten and the said right is applicable in the matrimonial disputes. The aforesaid right under Section 22 of the Hindu Marriage Act so also the provisions of Section 11 of the Family Courts' Act 1984 which prescribe that the proceedings under the aforesaid provisions are to be held in-camera and may not be published or printed. Thus, by publication of the name of the petitioner reflecting on such orders/judgment, her privacy has been infringed which is also affecting her professional carrier as during the background search by the Companies before appointing her as an employee such information is reflecting. So also it is being an hurdle for the petitioner in getting settled in life because of such information read by the marriage proposals on Google

search engines deters them from moving further.

11. In view of the above and the no objection given by the learned counsel for the respondents, especially counsel appearing for the husband of the petitioner, we allow the present writ petition in following terms :

- (i) The registry of this Court is directed to remove the name of the petitioner from the record of Criminal Application 77/2021 and Criminal Application (APL) No.213/2023. The name of the petitioner be shown as 'XYZ'.
- (ii) The petitioner is permitted to approach all the concerned portals, search engines including respondent Nos.3 to 6 to mask the judgment/orders passed in aforesaid Criminal Application 77/2021 and Criminal Application (APL) No.213/2023 insofar as the name of the petitioner is concerned, and the same shall be indicated as 'XYZ'.

12. Rule is made absolute in aforesaid terms. No order as to costs.

13. Writ Petition is disposed of accordingly.

(Raj D. Wakode, J.)

(Anil S. Kilor, J.)