



CENTRE FOR
RESEARCH AND
GOVERNANCE
ON CYBER LAW

FIVE CASES THAT RESHAPED

Digital Rights, Evidence & Intermediary Liability in India

Here's what changed
everything

SWIPE TO VIEW



Shreya Singhal v. Union of India (2015)

- Struck Down Section 66A of IT Act.
- **Key Takeaway:**
 - Protected freedom of speech online.
 - The Supreme Court ruled the section unconstitutional due to its **vague wording** and potential for misuse, ensuring opinions, criticism, and satire are not criminalised on digital platforms.

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K.S. Puttaswamy v. Union of India (2017)

- Right to privacy → fundamental right under Article 21.
- **Key Takeaway:**
 - The SC held privacy as an intrinsic part of Article 21. *The case created the constitutional soil in which DPDP & future cyber-privacy rules must grow.* AND, it paved the way for strong data protection laws and heightened scrutiny over digital surveillance.

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Avnish Bajaj (Bazee.com) Case (2005)

- Intermediary Liability Clarified.
- **Key Takeaway:**
 - The CEO of Bazee.com was charged with obscene content sold via the platform. The Delhi High Court's decision clarified that intermediaries are not automatically liable if they act promptly on takedown requests, establishing safe harbour principles under Section 79 of the IT Act.

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State of Tamil Nadu v. Suhas Katti (2004)

- The first case in India to result in a conviction for cyber harassment under the Information Technology Act, 2000.
- Early precedent establishing that cruelty or defamation online would be treated with the same seriousness as offline abuse.

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Sabu Mathew George v. Union of India (2018)

- Search Engine Regulation & Content Takedown.
- **Key Takeaway:**
 - The Supreme Court mandated proactive filtering by Google, Yahoo, and Microsoft to block banned prenatal sex determination content.
 - Set a precedent for active regulatory compliance to curb harm via search engines.

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Anuradha Bhasin v. Union of India (2020)

- Courts checked indefinite internet shutdowns—orders must be lawful, necessary, and proportionate; the government must disclose orders for judicial review.
- Access to the internet is vital for freedom of expression and democratic life; restrictions must meet proportionality.
- The judgment **constrained** the executive's power to impose blanket, open-ended internet suspensions.

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Why These Judgments Matter?

- Uphold free speech and privacy in the digital age
- Define responsibilities for platforms and companies
- Stimulate stronger data protection laws and user trust
- Strengthen legal protections against cybercrime and online abuse

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CRGCL Perspective

Judicial intervention has been central to defining digital rights, but lawmaking and enforcement must now catch up.

Understanding these rulings is essential for policy, compliance and rights protection.

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