

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD
R/WRIT PETITION (PIL) (WRIT PETITION (PIL)) NO. 7 of 2025

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SUO MOTU
Versus
STATE OF GUJARAT THROUGH THE SECRETARY, HOME DEPARTMENT
& ORS.

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Appearance:
LAW OFFICER BRANCH(420) for the Applicant(s) No. 1
MR PR ABICHANDANI(102) for the Applicant(s) No. 1
NOTICE SERVED for the Opponent(s) No. 1,2,3

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CORAM: HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE
SUNITA AGARWAL
and
HONOURABLE MR. JUSTICE PRANAV TRIVEDI

Date : 07/03/2025

ORAL ORDER
(PER : HONOURABLE THE CHIEF JUSTICE MRS. JUSTICE SUNITA
AGARWAL)

1. Affidavit of the Superintendent of Police, Dahod, namely the respondent No.3 placed before us under the sealed cover has been perused. A copy of the First Information Report lodged pertaining to the incident placed in sealed cover has also been perused. Both the envelopes be sealed again and be kept along with the record.
2. Under the directions of this Court vide order dated 03.02.2025, affidavit dated 12.02.2025 of the Under Secretary, Home Department, Government of Gujarat, Gandhinagar has been filed to bring on record the action taken report of the incident which took place on 28.01.2025. It is stated that prompt action has been taken by the authorities at the ground level in lodging of

the First Information Report on 29.01.2025 soon after the receipt of the information of the incident leading to the arrest of the accused persons, counseling sessions for the victim, medical care and security of the victim. It was ensured that the video of the incident circulated on the social medial handles and search engines was taken down.

3. The report of the Additional Director General of Police (Law & Order), Gujarat, vide communication dated 10.02.2025 has been appended thereto. On the issues pertaining to future course of action, it is stated therein that several awareness programmes are being organized at the grassroot level prompting gender equality and for upholding the dignity and respect that every women rightfully deserves. Guidelines dated 11.02.2025 has been issued appended as Annexure-R2 to ensure that such programmes are undertaken at the grassroot level. The guidelines also provide for prompt action at the ends of the concerned police station for rescue of the victim affording timely medical care, proper psychological and legal counselling, providing police protection to the victims to ensure safety and social security to such victims.
4. A 'She Team' has been created at each police station in the State of Gujarat under the instructions dated 23.08.2021. For the project, a dedicated unit is created at every police station monitored by the jurisdictional Deputy Commissioner of Police or Deputy Superintendent of Police, as the case may be. The 'She

Team' works in tandem and in coordination with various agencies such as Anti-Human Trafficking Unit, Investigative Units on Crimes Against Women, Family and Female Welfare Committee, Police Station based support Services, Special Mahila Police Volunteer Scheme and assist such agencies whenever required. The 'She Team' is also tasked with the duties to patrol such isolated and inconspicuous places which are prone to perpetrate crime against women. Apart from tracking down offences against women and girl child, the 'She Team' also looks after the psychological needs of women as well as medical care and appropriate counselling is provided to the victim in need. The Team also coordinates with local non-profit and non-governmental organizations which are dedicated to such cause and provide counseling to the victims.

5. In order to ensure that the victims receive adequate compensation in a timely manner, the Gujarat Victim Compensation Scheme, 2019 has been promulgated. The awareness programme in the context of cyber crime against women and encouraging victims to report cases are also some of the benevolent measures taken by the 'She Team'. 'She Team' also ensures that the CCTV cameras at various conspicuous places are in working condition.
6. In the incident in question, the 'She Team' of Sanjeli police station, Dahod as well as the Fatehpura police station, Dahod had played a pivotal role in assisting the

victim with security, counselling and moral support.

7. There is an Abhayam Helpline No.'181' which is a dedicated helpline number for women in need established with joint efforts of the Home Department, Women and Child Development Department and GVK Emergency Management Institute. With this helpline, women are provided counseling in relation to serious offences and provisions are made to rescue victims in need, provide assistance in distress with support and care. The rescued victims are rehabilitated under the programme.
8. There is a society named as 'the Suraksha Setu Society' established by the Home Department with the benevolent objective to foster trust and bridge the gap between the police and the public while ensuring safety, security, and social welfare of the public at large. The primary objective of this initiative is to create a secured and supportive environment for the citizens, particularly women, children and senior citizens by addressing their concerns and empowering them through various welfare programmes. The key features of the Society is empowering women through self-defence training and livelihood support so that they become financially independent and protect themselves.
9. It is submitted that in order to rehabilitate the victim of the incident in question, rent free shop for 11 months for selling of fruits and vegetables has been provided and Rs.50,000/- towards compensation under the Gujarat

Victim Compensation Scheme, 2019 has also been paid to the victim.

10. With regard to the steps taken to restrain the circulation of video of such incidents in the social media, the Government Resolution dated 05.02.2025 has been issued under Rule 3 (1)(d) of the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 read with Section 79 (3) of the Information Technology Act, whereunder Additional Director General of Police (CID) Crime & Railways, Gujarat State, Gandhinagar has been authorised as authorised agency and Nodal officer to perform the functions under the said provisions and Superintendent of Police, Gujarat State, Cyber Cell, Gandhinagar as designated officer for issuing take down notices to appropriate intermediaries, to enable information which is prohibited under any law for the time being in force under the aforesaid provisions.
11. It is stated therein that the rules also provide for setting up a 'Grievance Redressal Mechanism' by the intermediaries for enabling users to report objectionable content, including sexually explicit videos, for prompt removal under rule 3(2)(b). The intermediaries are to act within 24 hours to remove or disable access to any content featuring non-consensual intimate images or videos upon receiving a complaint.
12. The social media platforms with large user base are classified as Significant Social Media Intermediaries and are required to appoint a Chief Compliance Officer,

a Nodal contact person and a Resident Grievance Officer to ensure adherence to the rules. Moreover, time and again the officers are instructed for strict compliance of the Information Technology Act, 2000 for taking down objectionable videos as and when they come to light.

13. At the ground level, in order to prevent the spread of explicit content on social media, the police authorities, in appropriate cases, employ Open Source Intelligence and Social Media Intelligence techniques to monitor and identify posts violating privacy and dignity. Authorities have dedicated teams to track and remove such contents expeditiously. Time and again awareness campaigns are organised to ensure that the public at large is made aware of the consequences of sharing such explicit content in transgression of the provisions of the Information Technology Act, 2000.
14. A report of the Superintendent of Police, District Dahod along with his personal affidavit has been presented in a sealed cover to provide factual summary of the incident, immediate steps taken for rescuing the victim and investigation of offence, recording of statement of victim under Section 183 of the Bharatiya Nagrik Suraksha Sanhita, 2023 (BNSS), steps taken to restrain/check the circulation of the videos of the incident on social media, notices issued under Section 94 of the BNSS to the intermediaries. It is stated that the Cyber Crime, police station, Dahod, Gujarat is presently monitoring social media actively and on a daily basis to verify if the video

of the incident in question is not re-posted afresh.

15. As part of the awareness programme amongst general public, meeting was organized with the local leaders and sarpanch of the village panchayats of the vicinity comprising police inspectors, police sub inspectors and they were made aware that the circulation of the video constitutes an offence under Section 67A of the Information Technology Act. The Superintendent of Police himself has made an appeal through various platforms including the electronic media to ensure that the video is not circulated by the public.
16. Medical and psychological care has been provided to the victim and the victim after due treatment had gone back to her parents place which is continuously being patrolled by the 'She Team' of Fetahpura police station. The victim has also been provided the contact details of the nearest resource persons, police personnel, counsellors etc. to enable the victim to contact them as and when she required their services.
17. The rehabilitation measures taken to make victim independent by providing a rent free shop, and support through interim compensation have been highlighted in the said affidavit. It is stated that as part of the security measure, the authorities will ensure that the victims shop is continuously monitored to ensure that there is no harassment by the relatives or peers of the accused persons. The victim and her family members are provided with phone numbers of the local personnel for

immediate response and 'She Team' has been instructed to meet the victim at regular intervals for ensuring her safety.

18. With these facts brought on record about the action taken by the local authorities, specifically Superintendent of Police, we deem it fit and proper to engage the Member Secretary, Gujarat State Legal Services Authority (GSLSA), who shall look into the matter and give whatever other support is needed by the victim, apart from the support and care provided by the local authorities and agencies of the State.
19. We say so as the accused persons are in-laws of the victim and they were involved in assaulting the victim making certain allegations made against her. The victim presently is living at her parental home, but she may require some more support to seek justice by fighting against her in-laws. It is reported to us that the both the children of the victim are with her in-laws. Thus, apart from the restorative care and rehabilitation support given by the State agencies to the victim, so far, it seems that the GSLSA is required to play an active role in order to ensure that the victim gets justice from the injustice caused to her by her in-laws.
20. We, therefore, direct the Member Secretary, GSLSA to personally take stock of the situation, have a meeting with the victim and her family to assess her situation and the need and care still needed by the victim. The

Member Secretary, GSLSA is also required to prepare a comprehensive programme by including schemes and the steps initiated by the Home Department so as to conduct awareness programmes under the aegis of the GSLSA with respect to such incidents with the aid and assistance of the Gender Resource Centre, Gujarat. The Member Secretary, GSLSA is directed to file a compliance report of the above directions by the next date fixed.

21. Stand over to 02.05.2025.
22. It goes without saying that all possible legal and social support shall be provided to the victim at the ends of the Gujarat State Legal Services Authority so that she come may come out of the trauma and support herself in her battles.

(SUNITA AGARWAL, CJ)

(PRANAV TRIVEDI,J)

SUDHIR