



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
IN ITS COMMERCIAL DIVISION
INTERIM APPLICATION(L) NO. 32198 OF 2025
IN
COMMERCIAL IP SUIT (L) NO. 32130 OF 2025

Suniel V Shetty

...Applicant/Plaintiff

Versus

John Doe S Ashok Kumar

...Defendant

Dr. Birendra Saraf, Advocate General, Adv. Janay Jain al/w Adv. Monisha Mane Bhangale, Adv. Bijal Vora, Adv. Tamanna Meghrajani, Adv. Pavanaj R. Hariharan i/b Parinam Law Associates for the Plaintiff

CORAM : ARIF S. DOCTOR, J.

DATE : 10th OCTOBER, 2025.

P.C.

1 By the present Suit, the Plaintiff has inter-alia sought the protection of his personality rights, his right to privacy and right to live with dignity guaranteed under Article 21 of the Constitution of India and also the protection of his moral rights under the Copyright Act, 1957. The Plaintiff asserts that his stated rights are being infringed and violated by unauthorized use and commercial exploitation and misrepresentation on different social media platforms and over the internet by various parties some of whom are arrayed as Defendants to the suit and by certain unknown entities presently found as Ashok Kumar / Jon Doe.

2 The Plaintiff has in the plaint set out that the Plaintiff is a renowned Indian film actor, producer and public figure with a career in the Indian film industry spanning over three decades. In Paragraph No. 21 of the plaint, the Plaintiff has given a list of nearly 100 films in which he has acted and is widely known for his performances in commercially successful and critically acclaimed films such as “*Balwaan*”, “*Mohra*”, “*Dilwale*”, and “*Border*”, *Main Hoon Na* and the film “*Hera Pheri*” in which the Plaintiff played the iconic and popular character of “*Shyan*”, a role which continues to enjoy enduring public recognition, attention and goodwill.

3 The Plaintiff in Paragraph 22 of the Plaint set out the various awards and honors received by the Plaintiff, including the **Filmfare Award for Best Villain** for his performance in the film “*Dhadkan*” and the **Best Supporting Actor** for the same film. The Plaintiff has also been the recipient of the **Stardust Award for Best Actor** for the film “*Red Alert*” and the **Global Indian Film Award for the Best Negative Role** for the film “*Main Hoon Na*”. More recently in 2023 the Plaintiff’s relevance and style has been acknowledged through awards such as the **Lokmat Stylish Timeless Icon Award** and the **IWM Digital Awards** for his performances on OTT platforms, including in “*Dharavi Bank*.” It is basis this that the Plaintiff has contended that the Plaintiff is well known and established film Actor and also a respected public figure.

4 The plaint also sets out that given that the Plaintiff’s immense public standing and public image, the Plaintiff has been named as brand

Ambassador for several reputed national and international brands, the details of which are more particularly set out in paragraph 24 of the plaint. Thus, the Plaintiff has also commercially benefited from his personality rights and public standing.

5 The Plaint also set out the Plaintiff's huge following on social media. For instance, the Plaintiff has over 5.4 million followers on Instagram; 6.5 million followers on Facebook; 1.2 million followers on X Corp and approximately 9,96,043 followers on LinkedIn, which establishes that the Plaintiff has a vast following on diverse social media platforms which underscores the significant public recognition and extensive goodwill of the Plaintiff. This vast digital footprint serves to demonstrate the continuing and widespread public association with the Plaintiff, thereby reinforcing the distinctiveness and exclusive association of his indicia, including his name and persona, in the public mind.

6 Dr. Birendra Saraf, Learned Senior Counsel, appearing on behalf of the Plaintiff highlighted the aforesaid and submitted that the personality of the Plaintiff including his name, his signature, his image and his likeness, his voice and tone, his distinctive performance and mannerisms and similar other attributes have become uniquely associated with the Plaintiff. He submits that the Plaintiff has a right to control and protect the exploitation of his personality in addition to the commercially benefit and gain from the same. Any use of the Plaintiff's personality identity or attributes of the Plaintiff's personality without the Plaintiff's consent or authorization apart

from being an infringement of the Plaintiff's personality rights is also a violation of the Plaintiff's fundamental rights including the Plaintiff's right to live with dignity and right to privacy. He thus submits that any violation or infraction of these rights, is liable to be restrained.

7 Dr Saraf then pointed out details of various infringing activities, which necessitated the filing of the present Suit, and are more particularly set out in *Paragraphs 43 to 70 (Exhibit "B"; "E"; "F" and "G")* of the Plaintiff and are essentially summarized as follows:

(a) Circulation of AI-generated images/deepfakes by Defendant No. 1 on Defendant No. 3's platform (Meta), which depict the Plaintiff in an obscene and salacious manner and/or falsely depict the Plaintiff's image and persona. The details of infringing links are as follows:

- i. https://www.facebook.com/permalink.php?story_fbid=pfbid02ymnHSQsFWnCQ9RaUAmuRHJCVxeps1FwUTpy5r5TrrxEjjFRjSG4eVPvgRmFujhLBl&id=100077760850342
- ii. <https://www.facebook.com/photo/?fbid=792134453388576&set=pcb.792134556721899>
- iii. <https://www.facebook.com/photo/?fbid=792118903390131&set=pcb.792119016723453>
- iv. <https://www.facebook.com/photo?fbid=792118940056794&set=pcb.792119016723453>
- v. <https://www.facebook.com/61550929370262/posts/>

[122267319200030979/?
mibextid=wwXIfr&rdid=DZy3PX6DUbFoOowc#](https://www.facebook.com/photo/?fbid=776823071586381&set=a.176550134947014&mibextid=wwXIfr&rdid=DZy3PX6DUbFoOowc#122267319200030979/)

vi. [https://www.facebook.com/photo/?
fbid=776823071586381&set=a.176550134947014](https://www.facebook.com/photo/?fbid=776823071586381&set=a.176550134947014)

(b) Circulation of AI-generated images falsely depicting the Plaintiff and his family members by Defendant No. 1 on Defendant No. 3's platform (Meta). The details of infringing links are as follows:

<https://www.instagram.com/reel/DHtqlaMM7mO/>

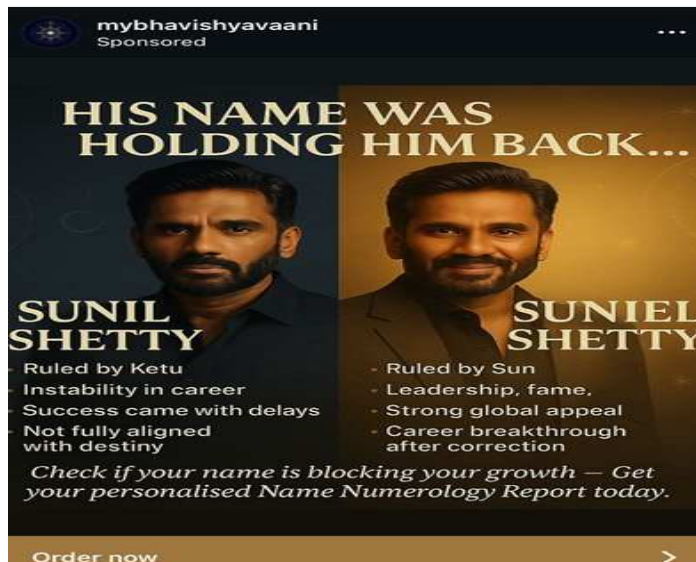
<https://www.instagram.com/p/DHum28poNtN/>

<https://www.facebook.com/share/1AzD1WQjRw/?mibextid=wwXIfr>

[https://www.facebook.com/story.php/?](https://www.facebook.com/story.php/?story_fbid=673732091795318&id=100074756000666)

[story_fbid=673732091795318&id=100074756000666](https://www.facebook.com/story.php/?story_fbid=673732091795318&id=100074756000666)

(c) Unauthorized advertisements, promotions, and false endorsements using the Plaintiff's indicia, including: (i) a gambling/sports-betting website (Defendant No. 18) falsely proclaiming partnership and collaboration with the Plaintiff (Infringing Link: <https://bcgame.co.in/en/partnerships/>; (ii) an astrologer/numerology service (Defendant No. 2) running advertisements on Defendant No. 3's platform (Instagram) using the Plaintiff's name and AI-generated images without his consent or authorization



; (iii) a verified social media user offering services as a "real estate mindset coach" and purporting to advise viewers on how to secure the Plaintiff as a client and sell him property in Dubai (Infringing Link: <https://www.instagram.com/p/DDq3-RXT0op/>;); and (iv) Defendant No. 4 running an advertisement falsely claiming that it will connect brands/businesses to the Plaintiff and secure him as a brand ambassador for them (Infringing Link: https://www.tring.co.in/celebrity-endorsements/suniel-shetty-brand-ambassador-list?utm_source=chatgpt.com;).

(d) Unauthorised manufacturing, promotion and sale of merchandise bearing the Plaintiff's name, image, likeness and persona by Defendant Nos. 6, 13 and 15 on their own websites. The details of infringing links are as follows:

<https://www.iceposter.com/gty?search=suniel%20shetty>;

https://www.paisawapas.com/p-suniel-shetty-beardo-poster-size-12-inch-x-18-inch-pack-of-1-paper-print18-inch-x-8-inch-rolled-10866925?utm_source=chatgpt.com;

<https://wallpapercave.com/suniel-shetty-wallpapers;>

(e) Instances of users, on Defendant No. 3's (Meta Platforms) and Defendant No. 19's (X Corp) platform, creating profiles that impersonate the Plaintiff by making the public at large believe that these accounts belong to the Plaintiff. The details of infringing links are as follows:

[Sunil Shetty \(@SunielShetty0\) / X](#)

<https://x.com/SUNILSHETTY>

<https://x.com/sunilshetty4u>

<https://www.facebook.com/pages/Sunil-Shetty/108616349160181?ref=ts>

<https://www.facebook.com/share/16CVD9U7nK/?mibextid=wwXIfr>

<https://www.facebook.com/share/1AfTksBgPy/?mibextid=wwXIfr>

<https://www.facebook.com/share/16BAX8AFPB/>

<https://www.facebook.com/share/1QtjT7w7nM/?mibextid=wwXIfr>

8 Dr Saraf further submitted that, apart from the identifiable instances of infringement, numerous entities are operating clandestinely without publicly disclosing their particulars and/or identities. Consequently, while the Defendants whose details are known to the Plaintiff are impleaded by name, those whose identities are currently unknown or not publicly available are impleaded collectively as "John Doe" (i.e. Defendant No. 1).

9 It is submitted that the aforesaid Defendants, being Defendant Nos. 1, 2, 4, 6, 13, 15, and 18, are engaged in the systematic misappropriation and unauthorized exploitation of the Plaintiff's identity and particularly rights for

their own commercial gain and personal benefit. He submitted that this ongoing infringement not only unlawfully exploits and diverts the economic value inherent in the Plaintiff's status but also poses a significant threat to the Plaintiff's professional career and public standing. He submits that By leveraging the Plaintiff's indicia including his name, likeness, and reputation, the Defendants are able to generate substantial and quantifiable gains through the accumulation of followers, engagement, and digital capital on social media and other online platforms. Apart from that, the use of various attributes of the Plaintiff's personality including creation of AI images/deep fakes creating a false and obscene images of the Plaintiff is also a direct infringement of Plaintiff's Right to Privacy and the Right to Live with Dignity which is enshrined under Article 21 of the Constitution of India.

10 Dr. Saraf has pointed out that the unauthorized appropriation of the Plaintiff's personality attributes, including his image are likely to deceive the public into a false belief of his association with and/or endorsement of certain commercial ventures which given the Plaintiff's repute and standing, the Plaintiff would never have been associated with. The public, acting upon the trust and goodwill generated by the Plaintiff, may then transact with these entities under a misrepresentation. He illustrated that by the specific instance where the Plaintiff's association was used on a gambling website, thereby creating a damaging and false impression of his endorsement of such activities. Such misrepresentation also has the potential of harm to the public at large.

11 Dr. Saraf has then submitted that this Court as well as the Delhi High Court have recognised and granted relief in case of violation of personality rights. In support of his contention, he has placed reliance upon the following decisions:

Asha Bhosle v. Mayk Inc, 2025 SCC OnLine Bom 3485 (Paragraph Nos. 15 to Paragraph 18)

Arijit Singh v. Codible Ventures LLP and Ors., 2024 SCC OnLine Bom 2445 (Paragraph Nos.16, 17 and 18);

Anil Kapoor v. Simply Life India and Ors., 2023 SCC OnLine Del 6914 (Paragraph Nos. 38,39,41 and 43);

Jaikishan Kakubhai Saraf alias Jackie Shroff v. Peppy Store and Ors., 2024 SCC OnLine Del 3664 (Paragraph No. 12);

Aishwarya Rai Bachchan v. Aishwaryaworld.Com and Ors., 2025 SCC OnLine Del 5943 (Paragraph Nos. 33.25, 34 to 39)

Karan Johar v. Ashok Kumar/John Doe, 2025 SCC OnLine Del 6108 (Paragraph Nos. 34,35,36 and 37);

12 Placing reliance on the above, Dr. Saraf submits that the Plaintiff is entitled to protection of facets of his personality such as his name, image, likeness, voice, and signature against unauthorized exploitation by third parties. On the basis of the aforesaid submissions, Dr. Saraf has today pressed for urgent interim reliefs on an ex-parte basis as per the reason set out in Paragraph Nos. 100 to 104 of the Plaint. He further mentions that issuing

notice to the Defendants would potentially precipitate the harm the present application seeks to prevent as it would provide them with an opportunity to inflict further harm and damage upon the Plaintiff's rights and reputation. In such an event, the entire purpose of the present application would be defeated.

13 Additionally, he emphasised that Rule 3(1) of the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021 requires social media intermediaries to exercise due diligence and undertake reasonable efforts to ensure users do not host, display, modify, publish, transmit, store, update, or share any information that is obscene, deceives or misleads the addressee, or impersonates another person. Therefore, Defendant Nos. 3 (Meta Platforms) and 19 (X Corp.) possess the requisite authority to restrict circulation of the infringing content that violates the Plaintiff's personality rights.

14 Having heard Dr. Saraf and having perused the material which has been placed before me, I have no hesitation in holding that the same can best be described as a lethal combination of a depraved mind and the misuse of technology resultantly causing harm to the Plaintiff's personality rights. The material that has been placed before me particularly the AI-generated/deep fake and obscene images of not only the Plaintiff but also images depicting the Plaintiff's family members. Additionally, the Plaintiff's image has been used in conjunction with promoting activities with which the Plaintiff would never associated or stand for and thereby effectively diluted the Plaintiff's

personality rights in the eyes of unsuspected public. Given the gravity and potential for irreversible harm and injury, this Court finds that the grant of injunction would be defeated by the delay of issuing notice, and thus, the present case warrants the immediate grant of ex-parte ad-interim reliefs.

15 From the statements made in the Complaint, it is apparent that the Plaintiff is a prominent film actor, having featured in over 100 films and received numerous prestigious awards for his performances. Owing to his significant popularity, the Plaintiff has millions of followers on various social media platforms and is engaged as a Brand Ambassador by several renowned national and international brands. Thus, the Plaintiff has garnered substantial goodwill and reputation, and the public at large reposes significant faith in him, extending trust to the brands and commercial ventures with which he is associated. The unauthorized creation/uploading of deepfake images of the Plaintiff on social media platforms constitutes a grave infringement not only of his personality rights but also of his right to live with dignity. Equally, the unauthorized use of AI generated images of the Plaintiff and his family members constitutes a blatant invasion of their privacy and their fundamental rights. The personality rights of an individual encompass the right to control, protect, and commercially exploit one's own image, name, likeness, and other identifiable attributes. The unauthorized exploitation of these attributes, while directly harming the Plaintiff's commercial interests, right to privacy, and right to live with dignity, also poses a significant risk of harm to the public. Public at large, relying upon

the Plaintiff's established goodwill and reputation, may be misled into placing their trust in and engaging with brands or commercial activities that have wrongfully appropriated his persona. In the modern digital economy, the aforesaid Defendants' actions constitute a deliberate conversion of the Plaintiff's goodwill into an unearned commercial advantage. Such unauthorized use creates a false sense of endorsement or affiliation, misleading the public and amounting to classic passing off, misappropriation of goodwill, and consumer deception.

16 In the present case, I have carefully considered the infringing material brought to my notice and some of which are detailed hereinabove. This infringing material discloses a clear infringement of the Plaintiff's rights and warrants urgent protection. I am also in agreement with the submissions made by Dr. Saraf that apart from the identifiable infringement there are several entities, many of whom are difficult to identify and trace. Given the clandestine and continuing nature of these activities and the ongoing harm, the Plaintiff has correctly impleaded Defendant No. 1, "John Doe/Ashok Kumar," to represent the entire class of such unknown persons whose identities cannot be presently ascertained.

17 This Court is therefore of the view that the Plaintiff has made out a strong case for the grant of ad interim relief. The balance of convenience is also entirely in favour of the Plaintiff, and if the ad-interim reliefs are not granted, the Plaintiff would suffer irreparable injury and harm.

18 In view of the aforesaid, I grant the Plaintiff ex parte interim relief

against Defendant Nos. 1, 2, 4, 6, 13, 15, and 18 as follows:

(a) Pending the hearing and final disposal of the Interim Application, Defendant Nos. 1, 2, 4, 6, 13, 15 and 18, by themselves, their agents, servants, associates, and/or any person claiming through or under them, shall be restrained from violating the rights of the Plaintiff.

(i) By infringing and/or utilizing and/or misappropriating the Plaintiff's personality rights and/or moral rights in any manner, directly or indirectly using and/or exploiting and/or imitating any of the Plaintiff's indicia, namely: (a) the name "Suniel Shetty" and any abbreviation, moniker or variation thereof; (b) voice; (c) image; (d) likeness; (e) distinctive performance, appearance and mannerisms; and (f) signature and any other uniquely identifiable attribute, including through Artificial Intelligence generated content, deepfake videos, voice cloned audio, edited or morphed visuals, metaverse environments and any future formats or mediums.

(ii) By passing off their goods, services, schemes, content, promotions or advertisements as emanating from, endorsed by or associated with the Plaintiff by use of any of his indicia namely: (a) the name "Suniel Shetty" and any abbreviation, moniker or variation thereof; (b) voice; (c) image; (d) likeness; (e) distinctive performance, appearance and mannerisms; and (f) signature and any other uniquely identifiable attribute.

(iii) By importing, manufacturing, warehousing, selling, offering for sale, advertising or otherwise dealing in any goods or services, including counterfeit merchandise or operating any schemes or content that exploit the Plaintiff's indicia namely: (a) the name "Suniel Shetty" and any abbreviation, moniker or variation thereof; (b) voice; (c) image; (d) likeness; (e) distinctive performance, appearance and mannerisms; and (f) signature and any other uniquely identifiable attribute.

(b) Pending the hearing and final disposal of the Interim Application, Defendant Nos. 1, 2, 4, 6, 13, 15 and 18, by themselves, their agents, servants, associates, and/or any person claiming through or under them, to forthwith remove, delete, take down, suspend and disable access to the Infringing Content (more particularly set out in paragraphs 43 to 70 of

the Plaintiff) and/or content similar to or identical to the Infringing Content that misuses the Plaintiff's indicia namely: (a) the name "Suniel Shetty" and any abbreviation, moniker or variation thereof; (b) voice; (c) image; (d) likeness; (e) distinctive performance, appearance and mannerisms; and (f) signature and any other uniquely identifiable attribute on any medium and/or format including but not limited to the physical medium, virtual medium such as websites, social media, etc.

19 Insofar as Defendant Nos. 3 and 19 are concerned, I pass the following order:

(i) Pending the hearing and final disposal of the Interim Application, Defendant Nos. 3 and 19 are directed to take down/remove/disable access to all listings/pages/content identified as Infringing Content (more particularly set out in paragraphs 43 to 70 of the Plaintiff) and annexed at Exhibit "B", Exhibit "E", Exhibit "F" Exhibit "G" thereto, which display, advertise, promote and/ or offer for sale any goods or services bearing the Plaintiff's name, image, photograph and likeness, within a period of one week from the date of the receipt of this order.

(ii) Defendant Nos. 3 and 19 are further directed that in the event the Plaintiff notifies them in writing of any further infringing listings/pages/content of a similar nature appearing on their platforms/websites which exploit the Plaintiff's name, image, likeness, photograph or caricature without authorisation, they shall, similarly take down/remove/disable access to such infringing listings/pages/content, subject to their right to communicate to the

Plaintiff, with reasons, any objection to such removal.

(iii) Defendant Nos. 3 and 19 shall, upon request and subject to any restrictions furnish to the Plaintiff the basic subscriber/seller information in their possession (including name, address, email ID, contact number, IP logs, registration details and payment details) of the sellers/uploaders of the infringing listings/content so notified, to enable the Plaintiff to either implead them as parties to the present proceedings or place their relevant details before the Court in those instances where found necessary.

20 The Advocates for the Plaintiff shall serve notice of this Order on the Defendants forthwith and file an Affidavit of Service on the next date.

21 Compliance of Order XXXIX Rule 3 of the CPC is permitted by email considering the large number of Defendants, and the fact that for some of the Defendants the contact details are not known to the Plaintiff. In so far as those Defendants for whom postal addresses are available, the Plaintiff shall in addition to service by email, do compliance by speed post service. The said compliance shall be done within two weeks of this order being made available.

22 Stand over to 17th November 2025.

[ARIF S. DOCTOR, J.]