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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CS(COMM) 510/2026**

**IVY ENTERTAINMENT PRIVATE LIMITED** .....Plaintiff

Through: Mr. Amit George, Mr. Paresh B. Lal,  
Mr. Dhiraj Mhetre, Ms. Shivani  
Sharma, Mr. Nikhil Singh, Mr.  
Dushyant Kaul and Ms. Rupam Jha,  
Advocates.

versus

**RAHUL SINGH & ORS.** .....Defendants

Through: Ms. Mamta Rani Jha, Mr. Rohan Ahuja,  
Ms. Shruttima Ehersa, Ms. Sanya  
Sehgal and Ms. Aiswarya Debadarshini,  
Advocates for D-4.

**CORAM:**

**HON'BLE MR. JUSTICE TUSHAR RAO GEDELA**

**ORDER**

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**15.05.2026**

**I.A. 13642/2026 (Pre-Institution Mediation)**

1. This is an application filed by the plaintiff seeking exemption from instituting pre-litigation Mediation under Section 12A of the Commercial Courts Act, 2015 (hereinafter referred to as "*CC Act*").
2. As the present matter contemplates urgent interim relief, in light of the judgment of the Supreme Court in *Yamini Manohar vs. T.K.D. Keerthi: (2024) 5 SCC 815*, exemption from the requirement of pre-institution Mediation is granted.
3. The application stands disposed of.

**I.A. 13641/2026 (Order XXXIX Rules 1 & 2, CPC)**

4. Present application has been filed on behalf of the plaintiff under Order XXXIX Rules 1 & 2 of the Code of Civil Procedure, 1908, (hereinafter referred to as "*CPC*") seeking *ex-parte ad-interim* injunction against the defendants.

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5. The present suit has been filed in relation to a song titled '*Bachpan ka pyar*', the lyrics wherein include, what the plaintiff claims to be a distinctive hook line '*jaane meri janeman bacchan ka pyar bhool nahi jaana re...*' (Hook Line). The plaintiff states that the lyrics were originally written by Mr. P.P. Baryia, while the music was composed by Mr. Mayur Nadiya and sung by Mr. Kamlesh Barot (collectively referred to as '*Original Creators*'). It is stated that the original Gujarati version of the song was created in the year 2017. The intellectual property rights titled and interestingly the said song were assigned to M/s Meshwa Electronics (hereinafter referred to as '*Meshwa*') vide a separate Memorandum of Understanding executed by the Original Creators.

6. The song is stated to have been released by Meshwa on YouTube on 12.05.2017. It is claimed that on 09.07.2021, Meshwa granted an adaptation and synchronization license to Universal Music Media India Pvt. Ltd. to create an adapted version. It is stated that in pursuance thereto, an adapted version was performed by Mr. Sehdev Dirdo and artist Mr. Aditya Prateek Singh Sisodia (Badshah) which was released on YouTube on 10.08.2021. In the credits, Meshwa was reflected as original label and the Original Creators as original lyricists, composer and singer. Similarly, Hindi versions were later created by the Original Creators and vide the MOU dated 20.07.2021 all rights in the said version was assigned to Meshwa.

7. The plaintiff claims to have acquired all IP assets and intellectual property in a portfolio of musical and audio-visual works and the YouTube channels which included the subject suit song through an Intellectual Property Rights Acquisition Agreement dated 07.11.2025. Vide the public notice dated 15.11.2025, in the publication '*Complete Cinema*', the plaintiff informed the public of the acquisition of the YouTube channel as also 1250 songs in the portfolio.

8. It is stated that the plaintiff and Meshwa jointly addressed a letter to



Phonographic Performance Ltd. (PPL) informing it of the acquisition of the YouTube channels and the underlying intellectual property assets which include top 1250 songs along with the suit subject song.

9. Plaintiff claims that around April 2026, it discovered that the Hook Line, rhythm, tone and other lyrics of the subject suit song were being unauthorizedly used across YouTube channels and those owned or controlled by the defendants. Plaintiff claims that the defendants have created infringing musical works substantially around the Hook Line and the underlying expression of the song. The plaintiff has detailed and sought to demonstrate the infringing acts of the defendants in a tabulated form in sub-para (xii) of para 9 of the plaint, which is extracted hereunder:

S No	Name	Date of Upload	Uploader	Views	Link	Infringement
1.	<b>Jane Meri Janeman Bachpan Ka Pyar Mera Bhul Nahi Jana Re (Official Video) Ankush Raja Ft. Neha Raj</b>	August 4, 2021	Khesari Music World Bhojपुरi	282,949	<a href="https://youtu.be/aHuMJX8A-IY?si=b07_Do7Ditptiobp">https://youtu.be/aHuMJX8A-IY?si=b07_Do7Ditptiobp</a>	The hook line is used in the title of the song as well as in the song.
2.	<b>Bachpan Ka Pyar</b>	September 21, 2022	Shivam Yadav – Topic	860	<a href="https://www.youtube.com/watch?v=vfF0PZospjo">https://www.youtube.com/watch?v=vfF0PZospjo</a>	The Hook line of the song is used in the title as well as in the song, with a similar tune by adding a few extra words.
3.	<b>Bachpan Ka Pyaar (Official Video) Badshah, Sahdev</b>	August 11, 2021	Jasko Records	1,158	<a href="https://www.youtube.com/watch?v=36g4gL_2wFU">https://www.youtube.com/watch?v=36g4gL_2wFU</a>	The Hook line is used in the title of the song as well as in the song. The video



	<b>Dirdo, Sunny Pal, Jasko Records</b>					claims to be an official version of the Badshah song, however, the same video is not the Badshaah song and is infact the exact copy of the tone, tune and music of the Plaintiff's Song.
4.	<b>Bachpan Ka Pyaar (Official Video) "Jane Meri Janeman" Sahdev Dirdo, Badshah, Sahil Babu, Ranishree</b>	August 9, 2021	BFTS Music	11,566, 706	<a href="https://www.youtube.com/watch?v=ddBz0erXIKY">https://www.youtube.com/watch?v=ddBz0erXIKY</a>	The hook line is used in the title as well as in the song multiple times.
5.	<b>#Ankit Agrawal और #Khushb u Tiwari KT का एक और जबरदस्त शायरी वाला गाना बचपन का प्यार भूल नहीं जाना</b>	August 18, 2021	Ankit Agarwa 1 Official	2,728,6 78	<a href="https://www.youtube.com/watch?v=W1Xoyzm3iGI&amp;list=RDW1Xoyzm3iGI&amp;start_radio=1">https://www.youtube.com/watch?v=W1Xoyzm3iGI&amp;list=RDW1Xoyzm3iGI&amp;start_radio=1</a>	The Hook line of the song is used in the title as well as in the song, with a similar tune by adding a few extra words.
6.	<b>Hd Video बचपन का प्यार मेरा भूल नहीं जाना रे। Gunjan</b>	July 30, 2021	Gunjan Singh Entertai nment	17,169, 919	<a href="https://www.youtube.com/watch?v=v3emwRr3xo0&amp;list=RDv3emwRr3xo0&amp;start_radio=1">https://www.youtube.com/watch?v=v3emwRr3xo0&amp;list=RDv3emwRr3xo0&amp;start_radio=1</a>	The hook line of the song is used in the title, as well as the start and end of the song.



	<b>Singh, Antra Singh   Bhojpuri Hit Song 2021</b>					
7.	<b>Bachpan Ka Pyar Badshah   Jane Meri Janeman   Bachpan Ka Pyar Bhul Nahi jana Re  </b>	August 1, 2021	The Prince Yadav	1,147,3 61	<a href="https://www.youtube.com/watch?v=MUV-CL-IxFo">https://www.youtube.com/watch?v=MUV-CL-IxFo</a>	Made a song by using the hook line over and over.  The whole song is a repetition of the Hook line.
8.	<b>Jane Meri Janeman Bachpan Ka Pyar Mera Bhul Nahi Jana Re !! Bachpan Ka Pyar Song</b>	August 1, 2021	DJ KE KING	1,083,9 61	<a href="https://www.youtube.com/watch?v=C1HME mawPO8">https://www.youtube.com/watch?v=C1HME mawPO8</a>	The hook line has been used repetitively
9.	<b>Jane Meri Janeman Badshah   Jane Meri Janeman MG Car   Badshah Jaane Meri Jaaneman   Badshah Song</b>	August 11, 2021	Jantantra TV	42,379	<a href="https://www.youtube.com/watch?v=S0UfMNvABcw">https://www.youtube.com/watch?v=S0UfMNvABcw</a>	The hook line has been used repetitively

10. Plaintiff claims that it requested defendant no.2 to remove those infringing songs from the YouTube channels. However, it failed to remove the songs from AR YouTube channels and continues to make available the infringing song. It is stated that on 15.04.2026, the plaintiff issued a YouTube copyright strike/complaint against the infringing video uploaded by defendant



no.1 which was acceded to by defendant no.4/YouTube. As per the procedure available with the YouTube, once a video is taken down, the owner of such video can submit a 'Counter-Strike' to justify re-uploading of the video. Pursuant thereto, on 28.04.2026, the plaintiff claims to have received a counter notification of defendant no.1. In this context, it is stated that defendant no.4/YouTube has granted plaintiff ten days from the date of receiving the counter notification i.e. 08.05.2026, to satisfy defendant no.4/YouTube that the strike was genuine and failure whereof would lead to re-uploading the infringing video.

11. Plaintiff claims that the aforesaid intimation by defendant no.4/YouTube and other similar issues and the large scale infringing acts of the defendants have constrained it to approach this Court seeking *ex-parte ad-interim* injunction against the defendants.

12. Having heard Dr. Amit George, learned counsel for the plaintiff and examining the material on record, it appears that an *ex-parte ad-interim* injunction is warranted.

13. The plaintiff has been able to establish, *prima facie*, its intellectual property rights over the subject suit song predicated on various agreements/contracts entered into between the Original Creators and Meshwa and Meshwa and the plaintiff in that chronology. Thus, at this stage, the copyrights which subsist in the subject suit song 'Bachpan ka pyar' and Hook Line 'jaane meri janeman baccpan ka pyar bhool nahi jaana re...' along with the underlying works appear to subsist in the plaintiff. Documentary evidence demonstrates that the plaintiff has acquired the IP assets including 1250 songs and has already issued a public notice in the publication 'Complete Cinema'. That apart, the Phonographic Performance Ltd. has also been intimated about the acquisition of the YouTube channels and the underlying IP assets including the top 1250 songs. The subject suit song is included in the said 1250 songs.



14. The plaintiff has asserted that it has not issued any license or permission to any entity or individual to exploit the suit subject song, the Hook Line or any of the underlying works embodied in that song. Plaintiff also asserts that the revenue model of the defendant no.4 has enabled the other defendants including John Doe/Ashok Kumar to make unlawful financial gains and unjustly enrich themselves to the detriment of the plaintiff. The method of revenue generation has been explained by the plaintiff in para 14 of the plaint.

15. From the above, it is clear that every time the defendants/Ashok Kumars infringe the copyrights subsisting in the plaintiff, they obtain a unlawful financial gain and are unjustly enriching themselves. This by itself clearly impacts the revenues of the plaintiff and appears to cause substantial financial loss.

16. The acts of infringement have been clearly demonstrated by the plaintiff in para 9(xii) of the plaint which has been noted hereinabove and is not repeated here for prolixity. Suffice would it be to note that the infringing acts complained of appear to be violating the copyrights of the plaintiff conferred upon it under the provisions of the Copyright Act, 1957. Having regard thereto, it appears prudent to protect the copyrights of the plaintiff.

17. On an overall examination, it appears that the plaintiff has been able to demonstrate a *prima facie*, strong case in its favour as against the defendants. The various agreements/contracts demonstrate ownership of the plaintiff over the copyrights embodied in the song tilt the balance in favour of the plaintiff. The plaintiff shall suffer irreparable loss and injury which may not be adequately compensated in monetary terms in case an *ex-parte ad-interim* injunction order is not passed.

18. Accordingly, the following directions are passed:

- a. Defendant nos. 1 to 3 and defendant no.5/Ashok Kumars are restrained from infringing the Plaintiff's intellectual property, and rights, title and



interest in the Song titled “*Bachpan Ka Pyar*” in any manner whatsoever, including but not limited to making use of the Hook Line of the Song as also distributing the song to any unauthorized third party.

b. Defendant nos. 1 to 3 are directed to disclose all revenue generated by exploitation of any part of the song titled “*Bachpan ka pyar*” on their YouTube Channels.

19. Issue notice.

20. Let a reply to this application be filed by the defendants within four weeks from service. Rejoinder, thereto, if any, be filed within two weeks thereafter.

21. Compliance of Order XXXIX Rule 3 of CPC shall be done within ten days from date.

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22. Let the plaint be registered as a suit.

23. Upon filing of the process fee, issue summons of the suit to the defendants through all permissible modes.

24. The summons shall state that the Written Statement shall be filed by the defendants within 30 days from the date of the receipt of summons. Alongwith the Written Statement, the defendants shall also file Affidavit of Admission/Denial of the documents of the plaintiff, without which the Written Statement shall not be taken on record.

25. Liberty is granted to the plaintiff to file Replication, if any, within 30 days from the receipt of the Written Statement. Along with the Replication filed by the plaintiff, an Affidavit of Admission/Denial of the documents of defendants be filed by the plaintiff, without which the Replication shall not be taken on record.

26. In case any party is placing reliance on a document, which is not in their power and possession, its details and source shall be mentioned in the list of



reliance, which shall also be filed with the pleadings.

27. If any of the parties wish to seek inspection of any documents, the same shall be sought and given within the prescribed timelines.

28. List before the Joint Registrar (Judicial) on 10.08.2026 for completion of service and pleadings.

29. List before the Court on 21.10.2026.

**TUSHAR RAO GEDELA, J**

**MAY 15, 2026/anj**