

Ajaz Khan is granted anticipatory relief by the Delhi High Court in the matter involving the offensive recordings concerning Harsh Beniwal's family.

Khan had shared a video that contained offensive and derogatory comments directed at Beniwal's sister and mother.

In a case filed against him for allegedly posting threatening and sexually graphic films against YouTuber Harsh Beniwal's mother and sister, the Delhi High Court on Wednesday granted actor Ajaz Khan anticipatory bail [**Ajaz Khan v The State NCT of Delhi**].

Judge Ravinder Dudeja issued the ruling, noting that Khan would no longer require in-custodial questioning because the cell phone used to record the video was already in the Mumbai Police's possession.

"There is no evidence on file that the petitioner poses a flight risk. For any custodial inquiry, he is not needed. When there is no evidence of a need for a custodial interrogation, the arrest should not be made automatically or mechanically. The "bail not jail" concept cannot be overridden by the State's fear of non-cooperation. According to the Court, the offenses carry a maximum punishment of three years in prison as well as a fine.

Khan was ordered by the court to post a ₹30,000 personal bond and one surety of the same amount, participate with the inquiry, give his voice samples, turn up his passport, and refrain from leaving the country without authorization.

The Court also included a warning for social media users in a comprehensive order.

According to Justice Dodeja, the internet has increased the dissemination of knowledge and made it widely accessible. Any content on the internet is porous and available to a wide audience.

As a result, any content posted online needs to be done so extremely carefully, particularly if the uploader has a sizable following and social influence.

"The constitutionally guaranteed freedoms of "speech" and "expression" under Article 19 must be used within the parameters of the reasonable limitations it imposes. The Court stated that the right to dignity is violated when communication goes too far in the direction of insult, humiliation, or provocation.

Khan was charged by the Cyber Police Station under Section 67 of the Information Technology Act and Section 79 of the Bharatiya Nyaya Sanhita (BNS), which deals with a woman's outraging modesty.

The complaint claims that after **Beniwal** released a spoof film called **"A Day With Najayaz Bhai,"** Khan posted a reply video that included offensive and derogatory comments directed against **Beniwal's** mother and sister.

Khan apparently responded to the video, which contained a disclaimer indicating it was a work of fiction.

According to Khan's attorney, the YouTuber had used slurs and referred to him as a "drug peddler" and "molester," and Khan's video was a retaliatory response to Beniwal's "derogatory and defamatory" representation of him.

The plea was rejected by the prosecution, who claimed Khan tried to abuse his social media influence and purposefully avoided the probe. According to the State, his behavior amounted to online harassment based on gender, which has significant societal repercussions.

The Court granted him **anccipatory** bail after reviewing the matter.

Ajaz Khan was represented by advocates Ahteshanuddin, Bilal Khan, Md Shadan, and Khalid Akhtar.

Additional Public Prosecutor **Yudhvir Singh Chauhan** represented the State.

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