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

+ **CS(COMM) 566/2025**

**JIOSTAR INDIA PVT. LTD. FORMERLY KNOWN
AS STAR INDIA PVT. LTD.**

.....Plaintiff

Through: Mr. Sidharth Chopra, Mr. Yatinder
Garg and Mr. Priyansh Kohli,
Advocates

Versus

HTTPS//CRICKL.COM & ORS.

.....Defendants

Through: None.

CORAM:

HON'BLE MR. JUSTICE SAURABH BANERJEE

ORDER

29.05.2025

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I.A. 14086/2025 (*Exemption from pre-litigation mediation*)

1. *Vide* the present application under *Section 12A* of the Commercial Courts Act, 2015, read with *Section 151* of the Code of Civil Procedure, 1908 (*CPC*), the plaintiff seeks exemption from pre-litigation mediation.
2. Considering the averments made in the present application, as also since the plaintiff is seeking *ex parte ad interim* injunction in an accompanying application, and in view of the judgment passed by the Hon'ble Supreme Court in *Yamini Manohar v. T.K.D. Krithi* 2024 (5) SCC 815, which has been followed by a Division Bench this Court in *Chandra Kishore Chaurasia v. R. A. Perfumery Works Private Limited* 2022:DHC:4454-DB, the plaintiff is exempted from instituting pre-litigation mediation.
3. Accordingly, the present application stands disposed of.

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I.A. 14084/2025 (*Exemption from advance service to defendants*)

4. *Vide* the present application under *Section 151* of the CPC, the plaintiff seeks exemption from advance service upon the defendant nos.9, 12, 17 and 18.

5. *Vide* the present application filed under *Section 80*, read with *Section 151* of the CPC, the plaintiff seeks exemption from the requirement of advance service upon the defendant nos.9 and 12, namely Bharat Sanchar Nigam Ltd. ('BSNL') and Mahanagar Telephone Nigam Ltd. ('MTNL') respectively and defendant nos.17 and 18, namely Department of Telecommunications ('DoT') and Ministry of Electronics and Information Technology ('MEITY') respectively, on the ground that no formal remedy/ relief as prescribed under the Copyright Act, 1957 ('Act of 1957'), is being claimed against them, as also since they are only being arrayed to ensure compliance with any orders that may be passed by this Court.

6. For the reasons stated in the present application, as also taking into account the aforesaid factors, and since it would be in the interest of justice, the plaintiff is granted exemption from effecting advance service upon the aforesaid defendant nos.9, 12, 17 and 18.

7. Accordingly, the present application stands disposed of.

I.A. 14085/2025 (*Additional documents*)

8. *Vide* the present application under *Order XI Rule 1(4)* read with *Section 151* of the CPC, the plaintiff seeks leave of this Court to file additional documents.

9. The plaintiff will be at liberty to file additional documents at a later stage, *albeit*, after initiating appropriate steps, strictly as per the provisions



of the Commercial Courts Act, 2015 read with *Section 151* of the CPC and the Delhi High Court (Original Side) Rules, 2018.

10. Accordingly, the present application stands disposed of.

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11. The plaintiff, by way of the present plaint, seeks permanent injunction, rendition of account, damages for infringement of copyright under the Act of 1957, as also appropriate directions to the arrayed authorities.

12. Let the plaint be registered as a suit.

13. Upon filing of the process fee, issue summons of the suit to the defendants through all permissible modes returnable before the learned Joint Registrar on 01.09.2025.

14. The summons shall state that the written statement(s) be filed by the defendants within a period of *thirty days* from the date of the receipt of the summons. Written statement(s) be filed by the defendants along with affidavit of admission/ denial of documents of the plaintiff, without which the written statement(s) shall not be taken on record.

15. Replication(s) thereto, if any, be filed by the plaintiff within a period of *fifteen days* from the date of receipt of written statement(s). The said replication(s), if any, shall be accompanied by with affidavit of admission/ denial of documents filed by the defendants, without which the replication(s) shall not be taken on record within the aforesaid period of *fifteen days*.

16. If any of the parties wish to seek inspection of any document(s), the same shall be sought and given within the requisite timelines.

17. List before the learned Joint Registrar for marking exhibits of



documents on 01.09.2025. It is made clear that if any party unjustifiably denies any document(s), then it would be liable to be burdened with costs.

I.A. 14083/2025 (*Order XXXIX Rule 1 and 2 CPC*)

18. The present application under *Order XXXIX, Rules 1 and 2* of the CPC has been filed by the plaintiff seeking the following reliefs:

i. *Pass an order of temporary injunction restraining the Defendant Nos. 1 to 4 (and such other websites which are discovered during the course of the proceedings and notified on Affidavit by the Plaintiff to have been infringing the Plaintiff's exclusive Media Rights and broadcasting rights), their owners, partners, officers, and all others in capacity of principal or agent acting for and on their behalf, or anyone claiming through, by or under it, from in any manner communicating, hosting, streaming, and/or making available for viewing and downloading, without authorization, on their websites or other platforms, through the internet in any manner whatsoever, the Plaintiff's content related to India Tour of England 2025, so as to infringe the Plaintiff's exclusive Media Rights;*

ii. *Pass an order directing Defendant Nos. 5 to 7, its directors, partners, officers, affiliates, and all others in capacity of principal or agent acting for and, on their behalf, or anyone claiming through, by or under it, to suspend the domain name registration of the Defendant Nos. 1 – 4, as well as any additional infringing websites discovered during the course of the India Tour of England 2025 matches and notified by the Plaintiff on Affidavit on real time basis. Specific Domain Name Registrars for each website are disclosed under para 44 of the Plaintiff.*

iii. *Pass an order interim injunction directing the Defendant Nos. 5- 7 to disclose the following information of the Defendant Nos. 1 – 4 (and such other websites which are discovered during the course of the proceedings and notified on Affidavit by the Plaintiff to have been infringing the Plaintiff's exclusive Media Rights and broadcast reproduction rights):*

a) *Complete details such as name, address, email address, phone number, IP address etc.*

b) *Mode of payment along with payment details used for registration of domain name by the registrant(s).*

iv. *Pass a temporary order directing the Defendant Nos. 8 to 16,*



their directors, partners, proprietors, officers, affiliates, servants, employees, and all others in capacity of principal or agent acting for and on their behalf, or anyone claiming through, by or under it, to block access to the various websites identified by the Plaintiff in the instant suit (at S. No. 1 of the Documents), as well as any additional infringing websites discovered during the course of the India Tour of England 2025 matches and notified by the Plaintiff on Affidavit on real time basis.

v. Pass an order directing the Defendant Nos. 17 and 18 to issue a notification calling upon the various internet service providers registered under it to block access to the various websites identified by the Plaintiff in the instant suit (at S. No. 1 of the Documents), as well as any additional infringing websites discovered during the course of the India Tour of England 2025 matches and notified by the Plaintiff on Affidavit on real time basis;

19. As per pleading, the plaintiff/ JioStar India Private Limited (formerly known as Star India Private Limited) is a company incorporated under the Companies Act, 1956, having its registered office at Star House, Urmi Estate, 95, Ganpatrao Kadam Marg, Lower Parel (West) Mumbai 400013 and also has a local office at Vatika Business Centre, Thapar House, Gate No.1, Eastern & Central Wing, 3rd Floor, 124 Janpath, New Delhi 110001.

20. The plaintiff is a leading entertainment and media company in India engaged, *inter alia*, in the production of popular content broadcasted on its channels. The plaintiff is also an exclusive right owner for several work broadcasted on its channels. The plaintiff, along with its affiliates, is also an exclusive right owner for several works broadcasted on its channels, such as, Star Sports 1, Star Sports 2, Star Sports HD 1, Star Sports Select 1, Star Sports 2 HD, Star Sports Select HD 1, Star Sports Khel, Star Movies, Colors Infinity, Star Bharat, Star Gold, Jalsha Movies, Maa Movies, Star Plus, Colors, Colors Rishtey, VH1, MTV, Disney Channel,



National Geographic, etc., and many of such channels broadcast sporting events in the fields of Cricket, Football, Formula1, Badminton, amongst others.

21. The plaintiff, *vide* Sub-Licensing Agreement dated 25.05.2025, has acquired exclusive digital media rights with respect to the India Tour of England 2025 (***‘ITE 2025’***), for a period of two years, commencing from 2025, from Culver Max Entertainment Pvt Ltd (***‘Sony’/‘Licensor’***), who had originally acquired exclusive television and digital broadcasting rights for all England cricket properties organised by the England Cricket Board (***‘ECB’***) for the territories of India, Sri Lanka, Afghanistan, Maldives and Nepal for the eight-year period starting from 2024 to 2031.

22. By virtue of the aforesaid arrangement between the plaintiff and Sony, it has been agreed that the ***ITE 2025*** matches will be made available for digital streaming on the plaintiff’s OTT platform, i.e., ***‘JioHotstar’***.

23. In light of the above, the plaintiff, being a right holder of “original works” as envisaged under *Section 37* of the Act of 1957, is entitled to the protection available therein.

24. The cause of action first arose on 26.05.2025, when defendant nos.1 to 4 being “*rogue websites*” unlawfully streamed sporting events in which the plaintiff had exclusive rights, without the authorisation from the plaintiff or the owner of rights of the said sporting events, such as the Indian Premier League, 2025 (***‘IPL’***). Moreover, the cause of action is a continuous one as, seeing the precedent of unlawful activity and also that their very business model appears to be illegally streaming content in which third-parties have exclusive rights, the plaintiff has full conviction that the said “*rogue websites*” will once again indulge in illegal streaming



of the upcoming **ITE 2025** matches which are scheduled between June and August 2025, wherein the Indian National Cricket Team will tour England to play a five-match Test series against the England National Cricket Team and apprehends that irreparable harm will be caused to the plaintiff, if it is not granted an *ex parte ad interim injunction* against the said “*rogue websites*” and their aids at the earliest.

25. The defendant nos.5 to 7 being Domain Name Registrars (DNRs) with respect to the said “*rogue websites*” are entities which are engaged in the business of registering and hosting domain names. The plaintiff has arrayed these DNRs to ensure effective implementation of any reliefs that may be granted, including suspension of domain names and disclosure of information of registrants of the “*rogue websites*”. For ease of reference, the list of such *rogue websites* and respective DNRs are as follows:

Defendant No.	Rogue Websites	Domain Name Registrars	Defendant No.
1	https://criclk.com	Namecheap, Inc.	5
2	https://hesgoaled.com		
3	https://vod.mafiatv.live	Sav.com, LLC	6
4	https://s19.24cwc.com	Tucows Domains Inc.	7

26. Since defendant nos. 8 to 16 are Internet Service Providers (ISPs) and, hence are instrumental in the functioning of the said “*rogue websites*”, being responsible for provision of internet services across India, they have been arrayed as such. The said defendants have the



responsibility to ensure that no violation of third-party intellectual property rights takes place through their networks. The DoT and the MEITY have also been arrayed as defendant nos.17 and 18 respectively, for the purposes of assistance and ensuring compliance with any orders that may be passed by this Court.

27. *John Doe* has also been arrayed as Defendant No.19 in the form of a generic identity, to safeguard the plaintiff's right against infringement by any unidentified or "*rogue websites*" that may be discovered at a later stage, or that may emerge suddenly even during the live telecast of the India Tour of England 2025 matches, with the intent to unlawfully make available the plaintiff's content.

28. The learned counsel for the plaintiff submits that in cases of live sporting events such as the present *ITE 2025* is concerned, these "*rogue websites*" activates new domains/ websites and URLs just minutes before a match and later deactivate them as soon as it ends. The same was the *modus operandi* followed by these websites during *IPL 2025*. Considering this, if the blocking of the domains does not occur within minutes of notification, the exclusive rights of the plaintiff as also their remedies get diluted, eroded, and effectively rendered redundant.

29. This Court has heard the submissions advanced by the learned counsel for the plaintiff and perused the documents filed along with the plaint.

30. In effect, the plaintiff is seeking a '*dynamic+*' *injunction*, a form of injunctive relief which is being granted by Court(s) in similar matters in the recent years, primarily with a view to protect parties like the plaintiff herein against rapidly developing online infringement platforms. For



instance, the Bombay High Court, in a case bearing no.I.A. (Lodging) 10257/2023 entitled *Applause Entertainment Private Limited v. Meta Platforms Inc. & Ors.*, which was a case involving audio-visual extracts of certain “web-series” being streamed illegally on multiple platforms, granted real time relief in the form of a ‘*dynamic+*’ *injunction* to the plaintiff therein. Similarly, a Coordinate Bench of this Court in *Universal City Studios LLC v. Dotmovies.baby* 2023:DHC:5842 has, also while granting such a ‘*dynamic+*’ *injunction*, observed that any injunction granted by this Court ought to be effective in nature.

31. Therefore, the position of law apparent therefrom, which has since developed with the passage of time, clearly reflects that the rights of a plaintiff, who is an intellectual property right holder, cannot be rendered otiose in this world of rapidly developing technology and for that, enforcement of intellectual property rights on any social platform, including but not limited to, the internet as well alongwith the real world, ought to be visible and effective.

32. The upcoming technology and the technological advances association therewith, have their own implication(s) and/ or ramification(s), which are not only reachable far and wide, but are also unpredictable. With the immense degree of freedom enjoyed by developers and innovators globally today, all and sundry, especially those intellectual property right holders like the plaintiff herein, are prone to/ may be exposed and/ or vulnerable to the actions of the “*rogue websites*” herein, more so, if such right holders like the plaintiff herein, are not accorded proper protection from them. On one hand, though such intellectual property right holders like the plaintiff herein, can proceed in



the normal manner, however, on the other hand, without any proper channelization, their intellectual property rights are prone to get effected by such “*rogue websites*”, who have no right, title and/ or interest therein. This would lead them and their facilitators to freely and blatantly exploit the rights of the right holders like the plaintiff herein, causing irreparable loss, damage and injury to them as also leaving them struggling on the fence exposed *dangerous edge* of technology.

33. This so-called *dangerous edge* has become *even sharper* with the fast-paced evolution of certain “*hydra-headed*” websites, which, even if blocked/ deleted, have the incredulous potential to resurface in multitudes as alphanumeric or mirror websites, with only minor, mechanical changes within seconds. Such “*hydra-headed*” websites, under the garb of privacy, are able to mask their registration/ contact details perfectly, making it virtually impossible to locate and contact their operators to, if necessary, demand cessation of infringing conduct.

34. In essence, as per the case set up by the plaintiff, the “*rogue websites*” are in flagrant infringement/ facilitation of infringement as is evident from the unabashed streaming of the copyrighted content on such “*rogue websites*”, of which the plaintiff herein, is the right holder. Moreover, the systematic, organised and intentional nature of the infringement, and the regularity and consistency with which the said content is being updated/ uploaded on the said “*rogue websites*” shows the extent of the violation of the rights of the plaintiff in real time. The said “*rogue websites*” are also employing the URL-redirection and identity masking methods as noted above, putting the plaintiff in an even more precarious condition to defend itself against their infringing actions.



In these circumstances, the present case appears, *prima facie*, to be a clear example of copyright infringement by entities such as defendant Nos.1 to 4, who are using modern technology to hide their identities while unlawfully benefiting from the plaintiff's copyrighted works.

35. Thus, in light of the violations already committed by the “*rogue websites*” by unauthorized streaming of the plaintiff's copyrighted works during the ongoing ‘IPL’, this Court sees every likelihood that such “*rogue websites*” will continue to stream copyrighted works to the public during the **ITE 2025** without authorization or license from the plaintiff.

36. Therefore, the plaintiff has been able to make out a *prima facie* case in its favour and against the defendants and the *balance of convenience* is also tilting towards grant of relief in favour of the plaintiff. If an *ex parte ad interim injunction* in favour of the plaintiff is not granted, the plaintiff will likely suffer *irreparable loss and injury*.

37. Accordingly, in view of the aforesaid, as also keeping in mind the existing position of law, as also to keep pace with the changing times coupled with the changing technology, till the next date of hearing:

- a. Any person/ entity including, but not limited to, the defendant nos.1 to 4 being “*rogue websites*”, as also their owners, partners, officers, and all others in capacity of principal or agent acting for and on their behalf, or anyone claiming through, by or under them, are restrained from communicating, streaming, and / making available for viewing and downloading, any part of the **India Tour of England 2025** matches on any electronic or digital platform in any manner whatsoever without authorization, so as to infringe the



plaintiff's intellectual property rights *qua India Tour of England 2025*;

b. Defendant no.5 being DNR namely *Namecheap, Inc.* is directed to block and suspend the websites <https://criclk.com> and <https://hesgoaled.com> within 72 hours, after being supplied with a copy of this order by the learned counsel for the plaintiff;

c. Defendant no.6 being DNR namely *Sav.com, LLC* is directed to block and suspend the website <https://vod.mafiatv.live> within 72 hours, after being supplied with a copy of this order by the learned counsel for the plaintiff;

d. Defendant no.7 being DNR namely *Tucows Domains INC.* is directed to block and suspend the website <https://s19.24cwc.com> within 72 hours, after being supplied with a copy of this order by the learned counsel for the plaintiff;

e. Defendant nos.5 to 7 being the DNRs are also directed to provide details of the registrants of the “*rogue websites*” such as their names and contact details upon being requested by the learned counsel for the plaintiff;

f. Defendant nos.8 to 16 being the ISPs are also directed to block access to the abovenamed “*rogue websites*” as mentioned in *para 26* above, within 72 hours, after being supplied with a copy of this order by the learned counsel for the plaintiff;

g. ‘**Dynamic+**’ *injunction* is granted in favour of the plaintiff to protect its copyrighted works as soon as they are infringed/ created. Consequently, during the streaming of the **ITE 2025** if, any further websites, such as mirror/ redirect/ alphanumeric variations of the “*rogue websites*” are discovered which are illegally streaming and communicating content over which the plaintiff has rights, the



plaintiff will be at liberty to communicate the details of these websites to their concerned DNRs, if available, or in the alternative to the defendant nos.8 to 16 being the ISPs for blocking the said websites. As such, upon receiving the said intimation from the plaintiff, the concerned ISP(s) shall take steps to immediately block the said “*rogue websites*” on real time basis;

h. Defendant nos.17 and 18 shall take steps to ensure that defendant nos.8 to 16, being the ISPs, comply with the aforesaid directions, through appropriate communications and notices sent to the said ISPs which are registered with them;

i. However, after communicating the details of the “*rogue websites*” in terms of the above, the plaintiff shall continue to file affidavits with this Court in order to ensure that this Court is informed of the said “*rogue websites*”.

38. Upon filing of process fee, issue notice to the defendant nos.1 to 8, 10, 11, 13 to 16, and 19 through all permissible modes, including through *email*, returnable before the Court on 13.10.2025.

39. Reply be filed within four weeks. Rejoinder thereto, if any, be filed within two weeks thereafter.

40. The provisions of *Order XXXIX Rule 3* of the CPC be complied with within one week.

41. List before Court on 13.10.2025.

SAURABH BANERJEE, J

MAY 29, 2025/So