



# Jus Corpus Law Journal

Open Access Law Journal – Copyright © 2025– ISSN 2582-7820

Editor-in-Chief – Prof. (Dr.) Rhishikesh Dave; Publisher – Ayush Pandey

This is an Open Access article distributed under the terms of the Creative Commons Attribution-Non-Commercial-Share Alike 4.0 International (CC-BY-NC-SA 4.0) License, which permits unrestricted non-commercial use, distribution, and reproduction in any medium provided the original work is properly cited.

---

## Case Comment: Balancing Public Interest and Individual Rights - The Judicial Interpretation of Personality Rights and Copyright Claims

Hardika Dave<sup>a</sup>

<sup>a</sup>GLS University, Ahmedabad, India

*Received 14 February 2025; Accepted 15 March 2025; Published 18 March 2025*

---

### INTRODUCTION

The T-Series case<sup>1</sup> offers a distinct perspective on copyright law and personality rights in India. The evolution of copyright jurisprudence in India has consistently sought to strike a balance between the rights of content creators and the interests of the public and other stakeholders in the entertainment industry. The present case significantly impacts by revisiting the scope of fair use, intermediary liability, and the enforceability of the contractual agreements between music labels, content creators, and digital platforms. It challenges the extent to which copyright holders can control derivative content and the applicability of safe harbour protections under the IT Act 2000. This case has the potential to redefine the legal landscape governing digital media distribution, content licensing, and intellectual property enforcement in India. The Punjab and Haryana High Court recently ruled that facts and

---

<sup>1</sup> T-Series (also known as Super Cassettes Industries Private Limited) and Anr v Dreamline Reality Movies and Ors  
FAO No 6386/2023

events from a person's life cannot be a subject matter of copyright unless the person claiming copyright violation has already accomplished/ created a work depicting the life story.

## **FACTS**

The appellants intended to produce a film, Dear Jassi on the story of one Jaswinder Kaur Sidhu @ Jassi. For the said purpose, the appellants came across a book written by Mr. Fabian Dawson of Canada. As per the case of the appellants, they purchased the right to make a film on the book written by Mr. Fabian Dawson, by paying an authorisation fee of about 5000 C\$. Accordingly, the appellants have made a film named Dear Jassi, based upon the book written by Mr. Fabian Dawson, inspired by the murder of Indo-Canadian woman Jaswinder Kaur, alias Jassi Sidhu, in 2000. When the appellants intended to release the said film, respondent No. 1 (plaintiff), who claimed to have purchased the rights to make a film from respondent No. 5 who is Sukhwinder Singh @ Mithu, who is husband of the above Jaswinder Kaur, filed a suit for injunction praying for restraining the appellants from exhibiting the film made by them. Respondent No. 1 relied upon an agreement entered into with Sukhwinder Singh, which is claimed to be prior in time to the production of the movie by the appellants.

The essence of the case of the respondents is that since Sukhwinder Singh happens to be the husband of the above said Jaswinder Kaur, therefore, his life story is also involved in the film, therefore, the appellants could not have made a movie on the events relating to even Jaswinder Kaur; without his permission. Since the said permission has been purchased by respondent No. 1, therefore, respondent No. 1 has got right to make the film and has a copyright over the story of Sukhwinder Singh. Hence, the suit was filed.

At the time of filing the said suit, the respondents also applied for an interim injunction restraining the appellants from exhibiting the film. That application has been allowed by the Trial Court. Aggrieved against the said order, the present appeal has been preferred by the defendants.

## **ISSUE RAISED**

1. Whether the copyright infringement claims over personal life events and narratives.

## CONTENTIONS FROM THE APPELLANT

Mr. Amit Jhanji, Senior Advocate with Mr. Abhinav Sood, Advocate; Mr. Amit Naik, Advocate; Mr. Deepak Deshmukh, Advocate; Ms. Madhu Gadodia, Advocate; Ms. Anmol Gupta, Advocate, and Ms. Achintya Soni, Advocate for the appellants. Arguing the case, learned senior counsel for the appellants has submitted that the appellants had acquired the bona fide rights to make the film from the person who had intellectual property rights over the work of the book written by him.

Since the story of Jaswinder Kaur was widely published by the media and even five movies had already been made on that subject, therefore, the information which has been used by the appellants in the film was already in the public domain. Besides, the appellants have purchased the rights, specifically from the author of the book on the subject. Additionally, the story was a matter of court records in both Canada and India concerning extradition and trial proceedings. Relying upon Section 13 of the Copyright Act of 1957 asserts that the copyright exists only in the case of accomplished intellectual work, in the form of cinematographs, books, or music. Since neither Sukhwinder Singh nor the respondents created any intellectual property, qua which they could claim any copyright, as such.

Furthermore, the respondents delayed raising objections, despite the appellants publicly registering the film's title and making significant financial investments, completing the film on 16th March, 2023. Citing the judgment rendered by the Supreme Court in the case of *R.G. Anand v Ms. Delux Films*,<sup>2</sup> To contend that an idea, principle, theme, subject matter, or historical or legendary facts being common aspects cannot be the subject matter of copyright.

Similarly, referencing *Krishna Kishore Singh v Sarla A. Saraogi*,<sup>3</sup> To buttress the historical facts, news reports, articles, write-ups, features, videos, etc., are part of the public domain and lack originality, a core requirement for copyright protection. Additionally, since the film is based on the love story of Jaswinder Kaur @ Jassi, who is deceased; therefore, no copyright can be claimed for the love story of Jaswinder Kaur anymore. The respondents in the suit seek to prevent the film on the life story of deceased Jaswinder Kaur @ Jassi, and not relating to Sukhwinder Singh, making their claim untenable, *Krishna Kishore Singh (supra)*. The

---

<sup>2</sup> *R.G. Anand v Ms. Delux Films* (1978) 4 SCC 118

<sup>3</sup> *Krishna Kishore Singh v Sarla A. Saraogi* (2021) SCC OnLine Del 3146

appellant further relies on *Ramgopal Verma v Perumalla Amrutha*.<sup>4</sup> Wherein it has been held that events already in the public domain cannot be protected under privacy rights. Finally, the appellants argued that the trial court's interim relief effectively grants the final relief sought in the suit, which should only be decided upon final adjudication. Thus, they seek to have the interim order set aside.

## CONTENTIONS FROM THE RESPONDENT

Mr. Sumeet Mahajan, the learned senior counsel for respondent No. 1 has contended that the film made by the appellants is the life story of Jaswinder Kaur @ Jassi, who was married to respondent No. 5-Sukhwinder Singh @ Mithu, Since Sukhwinder Singh' life is inherently part of the story, the film could not be made without his consent. Respondent No. 1-Company has acquired the rights from Sukhwinder Singh @ Mithu, vide contract dated 15.12.2018, which predates the production of the movie by the appellant. Therefore, it is only respondent No. 1 that has the exclusive right to make the movie, the trial court has correctly restrained the appellants from exhibiting the movie.

The respondents assert that some parts of the life story of Jaswinder Kaur and Sukhwinder Singh are in the public domain, however, the details of the developing of relations and the love story between the couple, which is the theme of the movie made by the appellants, was not in the public domain, though it was the cause of murder. They argue that only Sukhwinder Singh possesses those details, and as such, no film could be made without his authorization.

Citing the case of *K.S. Puttaswamy v Union of India* respondents emphasize an individual's right to control their own life story, identity, and commercial portrayal. Similarly, they rely on *R. Rajagopal v State of T.N.*<sup>5</sup>, which establishes the right to privacy, stating that a person's private life cannot be published without consent unless it is already part of the public records. Since the intimate details of Jaswinder Kaur and Sukhwinder Singh's relationship were not on public record before her murder, the appellants cannot claim their story is entirely in the public domain. Further, referencing the case of *D.M. Entertainment Pvt. Ltd. v Baby Gift House*.<sup>6</sup> To argue that publicity rights allow individuals to prevent unauthorized commercial

---

<sup>4</sup> *Ramgopal Verma v Perumalla Amrutha* (2020) SCC OnLine TS 3018

<sup>5</sup> *R. Rajagopal v State of T N* (1994) 6 SCC 632

<sup>6</sup> *D.M. Entertainment Pvt. Ltd. v Baby Gift House* (2010) SCC OnLine Del 4790

use of their personal life and identity. They argue that Sukhwinder Singh, having contractually granted his story rights to respondent no. 1, retained control over its use, making any authorized depiction of his life a violation of those rights.

The counsel for respondent No. 1 has contended that Section 2(d)(v), 2(y)(ii), and 2(f) of the Copyright Act argue that cinematographic work includes screenplay development, interviews, and research. Since respondent no. 1 had already begun developing the film based on the purchased rights, they argue that their work, though unpublished, was already in progress and therefore protected under Section 16 of the Act.

On the issue of the delay, the respondent contended that the appellants had only announced the making of the movie on 31st January 2023, and the suit was filed on 16th March 2023. Therefore, there is no delay in filing the suit by the respondent. Addressing the appellant's argument that copyright extinguishes with the death of the person, the respondent argues that respondent No. 5-Sukhwinder Singh, from whom respondent No. 1-Company had purchased the rights, is still alive, and it is his life story, as well, that they retain copyright over.

## JUDGMENT

**Copyright Claims and Public Domain:** The Court observed that to claim copyright over something, there must be an existing work. Mere facts or ideas, without the involvement of talent, intelligence, or efforts in converting the same into a work, cannot be considered a work under the Copyright Act of 1957, under which copyright can be asserted.

The Court held that although Dreamline claimed there was an assignment of the life story by Sukhwinder Singh, it had no legal effect, as there was no right to be assigned in the first place due to the absence of any existing work by Sukhwinder Singh on his own life story. On the other hand, T-Series had the right to make the film as it purchased the rights to make a film on the book authored by Mr. Fabian Dawson, wherein Sukhwinder Singh's life story was already included.

Furthermore, the Court noted that the said life story was already part of court records due to extradition proceedings held in Canada and the subsequent trial by Indian Courts. It was also in the public domain due to various media publications, social media content, and five films already made on the subject. The Court held that even the statutory provisions

contained in the Copyright Act exclude the material in the public domain from the restrictions of the Copyright Act.

Another aspect considered was Dreamline's attempt to restrain T-Series from making or exhibiting a film on the life story of Jaswinder Kaur, who is deceased and has not left any published or unpublished work over which her legal heirs could claim copyright. It was argued that once the information regarding the love story is in the public domain, even if the person is alive, they cannot claim copyright over the same. The Court upheld the applicability of *Krishna Kishore Singh v Sarla A. Saraogi* and *Ramgopal Varma v Perumalla Amrutha*. It concluded that the interim relief granted by the trial court was effectively a claim for the final relief by Dreamline and therefore did not stand the test of legal scrutiny.

**Right to Privacy and Its Limits:** Rejecting Dreamline's reliance on Sukhwinder Singh's right to privacy, the Court asserted that the right to privacy is not absolute, as also held in *K.S. Puttaswamy v Union of India*. Therefore, Dreamline could not claim copyright merely based on privacy rights. Copyright could only be claimed within the four walls of the statutory provisions contained in the said (Copyright) Act.

The Court further observed that Dreamline's reliance on paragraph 625 of the *Puttaswamy* judgment (which states that each individual may prevent others from using their image, name, and personal life for commercial purposes without consent) was flawed, as that paragraph contained the view of only one Judge from the Constitutional Bench and was merely advisory, not binding law.

Additionally, the Court held that once a person steps beyond their unique personal sphere and engages in social interactions, aspects of their individuality related to interpersonal relations, social choices, or social consequences would not be unconditionally encompassed in their right to privacy.

**Personality Rights and Celebrity Status:** Rejecting Dreamline's claim of having purchased Sukhwinder Singh's right to commercially exploit his privacy, the Court observed that this argument stretched beyond Dreamline's submissions and the trial court's order, which was entirely predicated on alleged copyright infringement. It was further held that Sukhwinder Singh may arguably have had the right to claim damages or commercially exploit his privacy, but even such actions have defined limits. 'Celebrity rights' or publicity rights can only be claimed by those who have acquired celebrity status or a distinct identity possessing

'commercial goodwill' that can be sold as a commodity. Since Sukhwinder Singh neither claimed celebrity status nor did Dreamline assert that he was a celebrity, he could not claim any publicity rights.

**Final Order:** For these reasons, the Court found that Dreamline did not have any prima facie (on first impression) case in its favour. The film's release would only result in profits, and therefore, it could not be said that Dreamline would suffer irreparable loss if T-Series proceeded with the release. Consequently, the appeal was allowed, and the District Court order was set aside.

### ANALYSIS OF THE JUDGMENT

The court's interpretation of personality rights and their connection to commercial goodwill and celebrity status reflects an established legal principle. Personality rights are inherently commercial, revolving around the monetization of a person's identity, and these rights can only be claimed by those who have acquired public recognition or market value. The court rightly emphasized that legal protections apply only to creative interpretations, not to basic facts about a person's life. This aligns with the understanding that personal stories cannot be exclusively controlled and must balance individual privacy with the public's right to storytelling.

Observations on Privacy Rights by the court are that the right to privacy is not absolute, as also held in *K. S Puttaswamy supra*. While Sukhwinder Singh may have had the right to claim damages or even commercially exploit his privacy, these actions have defined limits. The judgment highlighted that once an individual enters the public sphere, aspects of their identity tied to public interactions may not be fully protected under the right to privacy.

The fact that Sukhwinder Singh's story was already part of the public domain, due to legal proceedings and media publications, meant that his right to privacy had already been diluted. The Delhi High Court ruled that celebrities have the right to control the commercial use of their identity and prevent unauthorized exploitation.<sup>7</sup> For that purpose, the right can be claimed only as a celebrity right or publicity right by a person who claims to have acquired the status of a celebrity and a distinct identity having commercial goodwill which can be used by him/her as a saleable commodity.

---

<sup>7</sup> *Titan Industries Ltd. v M/S Ramkumar Jewelers* CS (OS) No 2662/2011

Another crucial aspect of the ruling lies in the court's stance on copyright protection. As per the Copyright Act, of 1957, copyright can only be claimed over existing works - creative expressions involving skill, labour, and intelligence. The mere existence of life events, without any creative interpretation, does not constitute a work under the Act. Dreamline's claim of having acquired rights over Singh's life story was invalid because there was no pre-existing creative work authored by Singh. Therefore, there was no copyright to assign in the first place.

The court also clarified the conditions for assigning rights under Section 18 of the Copyright Act, which necessitates the existence of a copyrightable work. Even a future assignment of rights is contingent upon the creation of a work, which was absent in this case. As a result, the agreement between Singh and Dreamline had no legal effect. The court further delved into the concept of celebrity rights, asserting that only those who have attained celebrity status or have distinct commercial goodwill can claim personality or publicity rights. Since Singh neither claimed celebrity status nor did Dreamline argue that he was a public figure, the claim of protecting personality rights was unsustainable.

This judgment reinforces the principle that privacy and personality rights are not unbounded. The court rightly observed that once personal stories enter the public domain, individuals relinquish some control over their narratives. The decision also underlines the distinction between protecting creative expressions and safeguarding facts or ideas, which do not enjoy copyright protection unless transformed through creativity and labour.

Ultimately, the court's approach in this case struck a fair balance between protecting creative freedom and respecting personal dignity, ensuring that copyright and privacy rights are applied within their proper legal limits.

## CONCLUSION

The judgment offers a nuanced interpretation of the interplay between copyright, privacy, and personality rights, setting a precedent that reinforces the boundaries of these legal concepts. It carefully delineates the limits of privacy rights. It clarifies that once personal stories become part of the public domain – whether through legal proceedings, media coverage, or other public records – the individual cannot reclaim absolute control over



them. This distinction is crucial in a society where personal narratives often intersect with public discourse.

Moreover, the court's analysis of personality rights highlights a fundamental principle: such rights are inherently linked to commercial goodwill and public recognition. By restricting the claim of personality rights to individuals who have acquired celebrity status, the judgment prevents the misuse of these rights as a tool to monopolize personal stories. This ensures that personality rights remain a safeguard for those whose identities carry commercial value, rather than serving as a blanket shield against public storytelling.

The ruling also reinforces the purpose of copyright law by drawing a clear line between the protection of creative works and the mere existence of facts or life events. The requirement of originality and the investment of skill, labour, and creativity is a cornerstone of copyright protection, ensuring that the law rewards intellectual effort rather than granting ownership over raw narratives. In doing so, the court upheld the integrity of the Copyright Act, preventing it from being weaponized to stifle creative freedom or public discourse. In essence, this judgment upholds a delicate balance: it protects the rights of creators to interpret and share stories in the public domain while preserving the legal framework that governs privacy and personality rights. It reiterates that legal claims must be firmly rooted in statutory provisions, ensuring that personal narratives cannot be unfairly monopolized under the guise of privacy or copyright. This decision strengthens the foundations of copyright law, safeguards freedom of expression, and prevents undue commercial exploitation of personal narratives that lack creative expression.