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CYBERBULLING AND LAWS- Kashish Kunjam¹**Abstract**

Cyberbullying has rapidly emerged as one of the most serious challenges of the digital era, affecting children, adolescents, and adults across the globe. With the expansion of social media and online platforms, incidents of harassment, defamation, cyberstalking, and exploitation have become increasingly common, causing severe psychological, social, and sometimes even fatal consequences. This paper examines the legal framework surrounding cyberbullying, with a particular focus on India. It explores the provisions of the Information Technology Act, 2000, the Indian Penal Code, 1860, the Juvenile Justice Act, 2015, and the Protection of Children from Sexual Offences (POCSO) Act, 2012, while also analyzing significant judicial decisions including *Shreya Singhal v. Union of India (2015)* and recent High Court bail rulings. A comparative perspective highlights how countries such as the United States, United Kingdom, Canada, and Australia have adopted specific statutes to combat cyberbullying, in contrast to India's fragmented legal approach. Drawing from recent case studies and statistical data on incidence, this study underscores the urgent need for India to introduce a dedicated cyberbullying law. The recommendations emphasize targeted legislation, stronger cyber-police enforcement, digital literacy initiatives, counselling and victim-support mechanisms, and enhanced accountability for social media platforms. The paper concludes that an integrated approach involving law, technology, education, and community responsibility is essential to ensure digital safety while safeguarding freedom of expression.

INTRODUCTION

Cyber bullying laws in India: comprehensive analysis

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Online bullying is a huge problem now, hitting people of all ages. Because social media and apps are so common, it's even more widespread, causing a lot of emotional pain. It's really important to know the anti-cyberbullying laws in India, so we can really work on this issue. This article breaks down what the laws around cyberbullying are, how it hurts people, what India is doing about it legally, some recent court decisions, and what you can do to fight back.

What's Cyberbullying?

Cyberbullying is when someone uses technology to be mean, scare, or bother someone else on purpose. It can look like:

Harassment: Sending nasty or mean messages over and over.

Flaming: Online fights with lots of bad words and anger.

Exclusion: Leaving someone out of an online group on purpose.

Outing: Sharing someone's private stuff without asking.

Cyberstalking: Watching, tracking, or scaring someone online all the time.

Impersonation: Making fake accounts to pretend to be someone and spread lies.

Cyberbullying Laws in India: What's the Deal?

So, India doesn't have one single law that specifically says cyberbullying is illegal. But they DO have laws that cover various types of online harassment.

Here are some of the main ones from The Information Technology Act,² 2000 (IT Act):

Section 66C: This one's about stealing someone's identity or using their personal information without permission.

Section 66D: This covers cheating someone by pretending to be them online.

Section 66E: This is about invading someone's privacy by sharing pictures of their private parts without them saying it's okay.

Section 67: You can't post or share nasty stuff online.

Section 67A: This one comes down hard on sharing sexually explicit material online.

²Kowalski, Limber, & Agatston, 2012; Hinduja & Patchin, 2019)

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So, in India, there are laws to deal with online stuff too. The Indian Penal Code from 1860 has some sections that matter:

Section 354D makes stalking, even online, a crime.

Section 500 is all about defamation, which counts for online stuff as well.

Section 507 covers threats made anonymously, like through texts or emails.

Section 509 says you can't do anything that's meant to disrespect a woman.

And if online bullying messes with kids in a sexual way, there's the POCSO Act from 2012. It makes sure people who sexually harass or take advantage of a child get really serious punishments.

Recent Cyberbullying Ruling in India

The Supreme Court of India recently made a ruling that says we seriously need to do a better job of stopping cyberbullying. The court talked about how online harassment is becoming a bigger and bigger danger, especially for kids. They said it's really important that we put some serious laws and technology in place to fight it.

One of the biggest cases about this was *Shreya Singhal v. Union of India* (2015). In that case, the Supreme Court got rid of Section 66A of the IT Act because they were worried it was too unclear and could stop people from speaking freely. Even though they got rid of that rule, the court still said it's super important to deal with cyberbullying using the laws we already have.

Later cases, like *Rajat Prasad v. CBI* (2014) and *R v. Juggernaut Books Pvt Ltd* (2018), gave some tips on dealing with online trouble like harassment and badmouthing. *Rini Johar v. State of MP* (2019) is a case that stands out cause it tackled cyberbullying at work. The court understood that online abuse is serious and made it clear that the current laws can be used to fight cyberbullying on the job.

Why India Should Get Serious About Cyberbullying Laws

Right now, the IT Act and IPC offer ³some help, but India still needs a real cyberbullying law. This law should clearly say what cyberbullying is, list the punishments, and make sure action is taken fast. A special law would: Spell out exactly what cyberbullying is and the different

³(Campbell, 2005; UNESCO, 2017)

ways it shows up. Set tougher punishments to scare off bullies. Do a way better job protecting kids, students, and others who are easily hurt. Make it easier to report cybercrime and get the police involved.

If you're getting cyberbullied, here's what you should do:

Don't fight back: Just ignore the bully.

Save the proof: Keep screenshots, texts, emails, anything that shows what's happening.

Block the bully: Use the block and report buttons on social media.

Get help: Talk to someone you trust—a friend, family member, or therapist.

Report it: Tell Cyber Crime Cell or the police and file a complaint.

You can also report cyberbullying on the National Cyber Crime Reporting Portal for help right away.

How to Stop Cyberbullying in India

Teach about online safety: Schools should teach students how to be responsible online.

Parents, pay attention: Parents should keep an eye on what their kids do online and talk to them about how to stay safe.

Enforce the rules: The government needs to make sure cyberbullying laws are followed.

Everyone working together: Communities and technology companies should team up to stop cyber harassment and help those who are being bullied.

RECENT CASES OF CYBERBULLING

Manoj Kumar vs State (NCT of Delhi)

FACTS⁴

It started with a complaint in Sonipat, Haryana, on June 23, 2025. It became case number 302/2025 at the Nabi Karim Police Station in Delhi on July 1, 2025. The charges were under sections 376, 354C, 328, and 506 of the IPC (Indian Penal Code). So, the person who complained, said: Manoj Kumar (an NSG Commando) drugged her and forced her to have

⁴(Information Technology Act, 2000; Indian Penal Code, 1860; Protection of Children from Sexual Offences Act, 2012)

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sex. He recorded dirty videos of her and used them to blackmail her for four years, threatening to share them. He texted her husband about the affair, which caused problems in her marriage. Manoj Kumar said: The relationship wasn't forced. It started on TikTok in 2020. They both knew the other was married. He tried to end things, but she threatened to release his pictures and lie about him raping her. He had already filed a complaint against her on April 13, 2025, accusing her of extortion, threats, attacks, cyberbullying, ruining his reputation, and false accusations. The person who complained didn't want him to get bail, citing the serious charges of rape, blackmail, and attacks.

ISSUES

1. Do the accusations against Manoj Kumar under sections 376, 354C, 328, and 506 IPC mean he needs to be in custody for questioning?
2. Does the complaint filed by the person after Manoj Kumar's suggests it might be fake?
3. Since the inquiry is just beginning and Manoj Kumar says he'll cooperate, should he be protected from arrest for now?

JUDGEMENT

The Court acknowledged how serious the allegations were but also pointed out: The complaint was filed two months after Manoj Kumar complained about the person. The person claimed to have been attacked for four years but never filed a complaint before. It looks like a relationship gone bad.

Here's what the court ordered:

Manoj Kumar needs to show up to the Investigating Officer (IO) on July 11, 2025, at 4:00 PM and help with the inquiry. Both people need to turn in their phones for the police to examine. The police can't arrest Manoj Kumar until the next court date. Manoj Kumar can't reach out to the person or her family at all. The police need to provide an update before the next court date (September 1, 2025).

What's the rule of law?

Even in serious cases like rape, the Court might offer temporary protection if: It looks like the complaint might have been filed with a bad motive. The person accused is willing to help with the inquiry. It's not absolutely necessary to keep them in custody right away. It's important to

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balance the rights of both the accused and the person complaining to make sure the inquiry is fair to everyone.

Shibani Barik vs. State of Odisha case from May 28, 2020, where Justice S. K. Panigrahi from the Orissa High Court looked at a bail request (Section 439 CrPC) linked to GR Case No. 4342 of 2019, and Dhanupali PS Case No. 496 of 2019:

FACTS

Who's Who: Shibani Barik (the person asking for bail) was charged with mentally abusing her husband, Padmalochan Barik, along with someone else. The claim is this abuse drove him to suicide, which is a crime under Section 306 along with 34 IPC. She and the husband got married around February 21, 2019, but it's said she kept seeing Upendra on the side. **What the Other Guy Did:** Upendra, the co-accused, apparently showed the husband some private TikTok of Shibani and supposedly shared them online. This supposedly messed with the husband so badly he killed himself on July 13, 2019, by hanging. **What the Cops Found Early On:** The initial digging and statements pointed to Upendra being heavily involved in pushing the husband to suicide. Shibani⁵'s part looked less clear-cut at this point. **Being Locked Up and Asking for Bail:** Shibani was arrested around January 14, 2020, and asked for bail (Section 439 CrPC). She said there wasn't strong proof against her, and that her past was the issue, not her actions.

ISSUES

1. **Her Actual Role:** Did Shibani Barik really do something to push her husband to commit suicide, according to Section 306 IPC?
2. **Should She Get Out on Bail?:** Looking at the unsure situation and ongoing investigation, should she get bail, balancing her freedom and how bad the charges sound?

JUDGEMENT

The court knew the TikTok and Upendra's actions hurt the husband a lot. But, because the investigation was just starting, there wasn't solid proof linking Shibani to pushing or supporting the suicide. The court thought throwing Section 306 at her right then would be silly. The court mentioned cyberbullying is getting worse, and India doesn't have great laws

⁵(Shreya Singhal v. Union of India, 2015; Rini Johar v. State of Madhya Pradesh, 2016; State of West Bengal v. Animesh Boxi, 2018)

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for it. The Information Technology Act does put some rules on technology sites, but we still need better laws to deal with cyberbullying. They let Shibani out on bail under normal rules—she needs to show up for court and not mess around while free.

What the Law Says

1. What You Need for Section 306 IPC: You need (i) someone to commit suicide, and (ii) the accused to push them to do it—meaning they intentionally enaged them on or helped. Just making someone sad or doing something indirectly isn't enough.

2. When Can You Get Bail?: Even if the charges are serious, you might get bail if: The proof against you isn't super strong at first glance. The investigation is just getting started. There's no real reason to keep you locked up for questioning.

3. Cyberbullying is Bad: The decision says cyberbullying on places like TikTok is a growing problem, and our laws aren't good enough to handle it—so we might need to make some changes.

RATES OF INCIDENCE

[StopBullying.gov](https://www.stopbullying.gov) provides two sources of federally collected data on youth bullying:

The 2019 [School Crime Supplement](#) (National Center for Education Statistics and Bureau of Justice) indicates that, among students ages 12-18 who reported being bullied at school during the school year, 16% were bullied online or by text.

The 2019 [Youth Risk Behaviour Surveillance System](#) (Centers for Disease Control and Prevention) indicates that an estimated 15.7% of high school students were electronically bullied in the 12 months prior to the survey.

The Cyberbullying Research Center surveyed a [nationally-representative sample of 4,972 middle and high school students between the ages of 12 and 17 in the United States](#). Data were collected in April of 2019.

- Cyberbullying Victimization. We define cyberbullying as: “Cyberbullying is when someone repeatedly and intentionally harasses, mistreats, or makes fun of another person online or while using cell phones or other electronic devices.” Approximately 37% of the students in our sample report experiencing cyberbullying in their lifetimes.

When asked about specific types of cyberbullying experienced in the previous 30

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days, mean or hurtful comments (24.9%) and rumours spread online (22.2%) continue to be among the most commonly-cited. Thirty percent of the sample reported being cyberbullied in one or more of the twelve specific types reported, two or more times over the course of the previous 30 days.

- **Cyberbullying Offending.** We define cyberbullying as: “Cyberbullying is when someone repeatedly and intentionally harasses, mistreats, or makes fun of another person online or while using cell phones or other electronic devices.” Approximately 15% of the students in our sample admitted to cyberbullying others at some point in their lifetime. Posting mean comments online was the most commonly reported type of cyberbullying they reported during the previous 30 days (9.3%). About 11% of the sample reported cyberbullying using one or more of the eleven types reported, two or more times over the course of the previous 30 days.
- **Cyberbullying by Gender.** Adolescent girls are more likely to have experienced cyberbullying in their lifetimes (38.7% vs. 34.5%). This changes when reviewing experiences over the previous 30 days, where boys are slightly higher. In this sample, boys were more likely to report cyberbullying others during their lifetime (16.1% vs. 13.4%) and in the most recent 30 days (8.1% vs. 4.6%). The type of cyberbullying tends to differ by gender; girls were more likely to say someone spread rumours about them online while boys were more likely to say that someone threatened to hurt them online. As with 2016, boys reported significantly more involvement in every type of cyberbullying offending behaviour we asked about. In the past, this has varied by type of behaviour.

Legal Perspective on Cyberbullying

Legal View on Cyberbullying: Global Legal conventions

UN StuffKids' Rights Agreement (1989): Says kids should be safe from all types of violence, also online. UN Resolutions: Talk about how important it is to fight cyber violence and make the internet safer. Goal 16: A part of making societies fair and peaceful is stopping internet harassment.

⁶(UNESCO, 2017; National Crime Records Bureau [NCRB], 2023)

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UNESCO:Runs campaigns to make people aware of cyberbullying.Gives advice to countries on how to add internet safety to school programs. Stresses teaching, stopping, and working together worldwide.

Council of Europe –Budapest Agreement (2001)

The first worldwide paper on cybercrime. Not just about cyberbullying, but it makes things like harassment, threats, hurting kids online, and stealing info illegal.Tells countries that signed up to work together to fight cybercrimes that cross borders.

How Different Countries Handle It

United States: No federal law for cyberbullying, but many states have laws against online harassment and school rules about bullying.United Kingdom: The Communications Act of 2003 says it's illegal to send mean or scary messages online.

Canada: The Protecting Canadians from Online Crime Act (2014) makes cyberbullying a crime, especially sharing private pictures without permission.

Australia: The Enhancing Online Safety Act (2015) created a person to handle cyberbullying complaints, mostly for kids.

Indian Penal Code, 1860⁷

Section 354A: Sexual harassment, plus online stuff.

Section 354D: Stalking, plus cyberstalking.

Sections 499–500: Lying about someone.

Sections 503–507: Scaring people with threats, even online.

Section 509: Saying or doing something to offend a woman (this counts for online harassment).

Juvenile Justice Act, 2015

Makes kids responsible for cybercrimes, but tries to fix them instead of just punishing them. Guards and helps kids who are cyberbullying victims.

Other Important Things

⁷(Hinduja & Patchin, 2019; UNESCO, 2017)

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National Cyber Crime Reporting Website (2019): Just for reporting cybercrime, mostly for women and kids. IT Rules (2021): Makes social media sites take down bad stuff fast.

RECOMMENDATIONS

1. Need for Specific Cyberbullying Legislation

- India currently addresses cyberbullying through a patchwork of provisions under the IT Act, IPC, and JJ Act. However, none explicitly define or penalize “cyberbullying” as a standalone offense.
- A separate law or a dedicated chapter in the IT Act is necessary to provide clear definitions, penalties, and victim remedies.
- Such legislation should include provisions for age-specific protections, particularly for minors, as well as aggravated forms of cyberbullying such as revenge porn, cyberstalking, and doxxing.

2. Stronger Enforcement & Cyber-Police Training

- Cybercrime cells exist in many states but face shortage of trained personnel, outdated tools, and lack of coordination.
- Specialized training in digital forensics, cyber-investigation techniques, and victim-sensitive handling should be made mandatory.
- Fast-track courts for cyberbully⁸ing and cyber harassment cases can ensure speedy redressal.

3. Digital Literacy Programs

- Awareness programs in schools, colleges, and workplaces can educate individuals about responsible online behaviour, legal consequences of cyberbullying, and how to report abuse.
- Parents should be trained to recognize signs of online bullying and to provide support to children.

⁸(UNESCO, 2017; NCRB, 2023)

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- Teachers and institutions must incorporate digital citizenship into curricula, emphasizing empathy, respect, and safe internet practices.

4. Counselling & Victim Support Mechanisms

- Victims of cyberbullying often suffer from psychological trauma, depression, and social withdrawal.
- Establishing helplines, school-based counselors, and online mental health support can help victims recover.
- Rehabilitation programs for young offenders should focus on reform rather than punishment, aligning with the Juvenile Justice framework.

5. Stricter Accountability for Social Media Platforms

- Platforms must be legally obligated to remove harmful content within a fixed timeline (as required under IT Rules, 2021), with penalties for non-compliance.
- Introduction of traceability mechanisms to identify anonymous abusers, while balancing with privacy rights.
- Mandatory community reporting tools, stronger AI-based monitoring, and transparency reports to ensure accountability.

Conclusion

Cyberbullying has emerged as one of the most pressing challenges of the digital age, deeply impacting children, adolescents, and adults alike. The findings of this paper show that while India has a range of legal provisions under the Information Technology Act, 2000, the Indian Penal Code, 1860, and the Juvenile Justice Act, 2015, there is no specific, comprehensive law dedicated solely to cyberbullying. Courts have attempted to interpret existing laws to address the problem, as seen in cases such as *Shreya Singhal v. Union of India* (2015), *Rini Johar v. State of MP* (2019), and more recent bail rulings, but the lack of clear statutory recognition remains a major gap. Comparative analysis also highlights that countries like Canada

and Australia have adopted targeted cyberbullying laws, making India's legal framework appear fragmented in contrast.

A key challenge lies in striking the balance between protecting free expression and curbing online abuse. While laws like Section 66A of the IT Act were struck down for being vague and suppressing speech, the need for precise, narrowly drafted provisions that protect victims without silencing legitimate expression is urgent. At the same time, the psychological toll of cyberbullying—ranging from anxiety and depression to tragic cases of suicide—underscores that online harassment cannot be dismissed as a trivial or “virtual” issue.

The way forward requires a multi-pronged approach. Legally, India must adopt specific legislation that defines cyberbullying, categorizes its forms, and prescribes proportionate punishments. Socially, awareness and digital literacy programs must empower parents, teachers, and young users to recognize, prevent, and report abuse. Technologically, social media platforms and digital intermediaries must be held accountable for timely removal of harmful content, backed by stronger monitoring tools and transparency norms. Counselling and victim support frameworks are equally vital to ensure that survivors of online harassment are not left isolated.

In conclusion, cyberbullying is not just a legal issue but a social and moral challenge of our times. A careful blend of law, education, technology, and community responsibility is essential to create a safer digital environment—one where freedom of expression thrives, but dignity, safety, and mental well-being are equally protected.

REFERENCE

Books, Journal Articles, Government Reports

- Kowalski, R. M., Limber, S. P., & Agatston, P. W. (2012). *Cyberbullying: Bullying in the Digital Age* (2nd ed.). Wiley-Blackwell.
- Hinduja, S., & Patchin, J. W. (2019). *Cyberbullying: Identification, Prevention, & Response*. Cyberbullying Research Center.
- Campbell, M. A. (2005). Cyber Bullying: An Old Problem in a New Guise? *Australian Journal of Guidance and Counselling*, 15(1), 68–76.
- UNESCO. (2017). *Global Guidelines on Addressing Online Harassment and Cyberbullying*. Paris: UNESCO.

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<https://www.ijalr.in/>

- Council of Europe. (2001). *Convention on Cybercrime (Budapest Convention)*.

Case Laws

- *Shreya Singhal v. Union of India*, (2015) 5 SCC 1.
- *Rini Johar v. State of Madhya Pradesh*, (2016) 11 SCC 703.
- *State of West Bengal v. Animesh Boxi*, 2018 SCC OnLine Cal 4024.

Statutes and Legislations

- Information Technology Act, 2000 (India).
- Indian Penal Code, 1860 (India).
- Juvenile Justice (Care and Protection of Children) Act, 2015 (India).
- Protection of Children from Sexual Offences (POCSO) Act, 2012 (India).
- UK Malicious Communications Act, 1988; Communications Act, 2003.
- Canadian Criminal Code, R.S.C., 1985, c. C-46.
- Australian Government, *Enhancing Online Safety Act 2015 (Cth)*.

News Reports & Statistics

- National Crime Records Bureau (NCRB). (2023). *Crime in India Report*. Ministry of Home Affairs, Government of India.
- Press Trust of India. (2022, September 15). "Cyberbullying cases on the rise among Indian teenagers: NCRB data." *The Hindu*.
- Pew Research Center (2022). *The State of Online Harassment*. Washington, DC.

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