

HANKETSU #1
Sanjay Dutt & Ors.

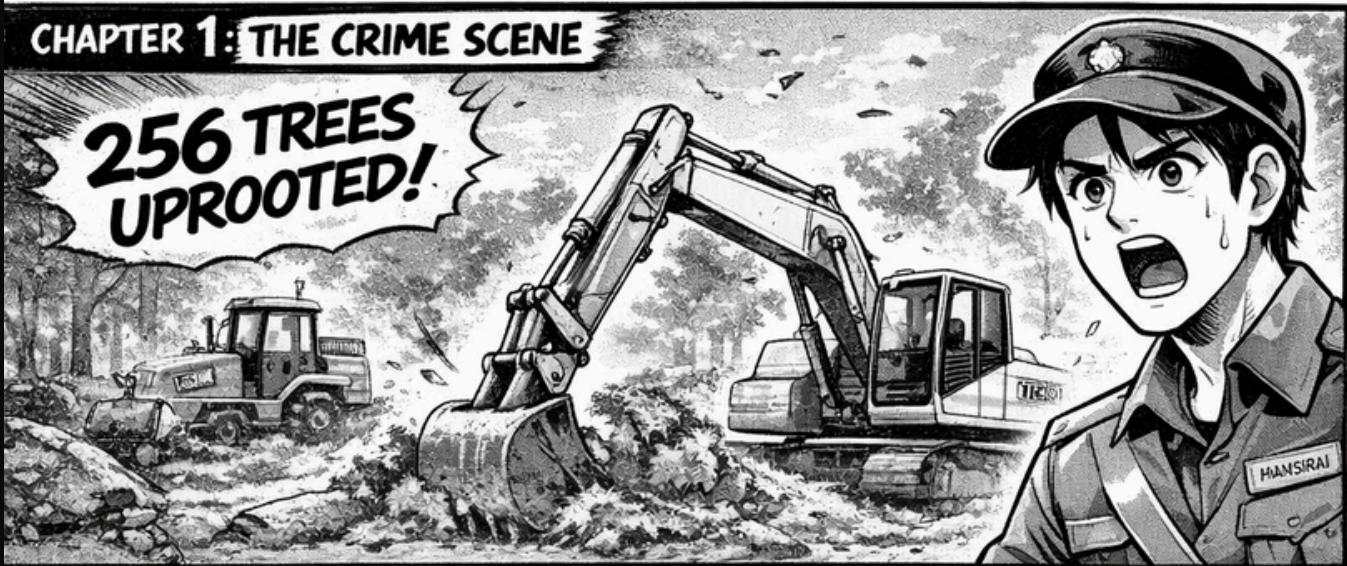
v.
State of Haryana & Ans.

THE CASE OF THE UPROOTED TREES

September 2, 2021- Sector 113, Gate Vida, Gurugram

CHAPTER 1: THE CRIME SCENE

**256 TREES
UPROOTED!**



Forest Guard Hansraj:

This is a violation
of the Punjab Land
Preservation Act!



THE ACCUSED:

Sanjay Dutt
Director

Kamal Sehgal
General Manager

Satpal Singh
Project Manager

All work for TATA Realty companies developing the area.

CHAPTER 2: THE COMPLAINT

The Forest Range Officer prepares the case:



The Forest Department issues notices:



THE CHARGES:

Violation of Section 4 of
Punjab Land Preservation Act, 1900,
punishable under Section 19
(up to 1 month imprisonment or ₹ 100 fine)

THE CHARGES:

Violation of Section 4 of Punjab Land
Preservation Act, 1900, punishable
under Section 19 (up to
1 month imprisonment or ₹ 100 fine)

THE PROBLEM:

The notification under Section 4
prohibits cutting certain trees without
permits in protected forest areas.

TO BE CONTINUED...

CHAPTER 3: THE COURTS STRIKE

BANG!



May 2, 2022 - Special Environment Court, Faridabad

Prima facie case made out!
The accused destroyed
256 trees causing
₹90,580 loss!

The Defendants Move:

They file a petition under
Section 482 CrPC to
quash the complaint.

We're just corporate
officers! We didn't
personally uproot
any trees!

THE CHARGES:

Violation of Section 4 of
Punjab Land Preservation Act,
1900, Punishable under

Section 19

(up to 1 month imprisonment
or ₹100 fine)

You're vicariously liable
for the acts of your
company!

**TO BE CONTINUED...
IN HIGH COURT!**



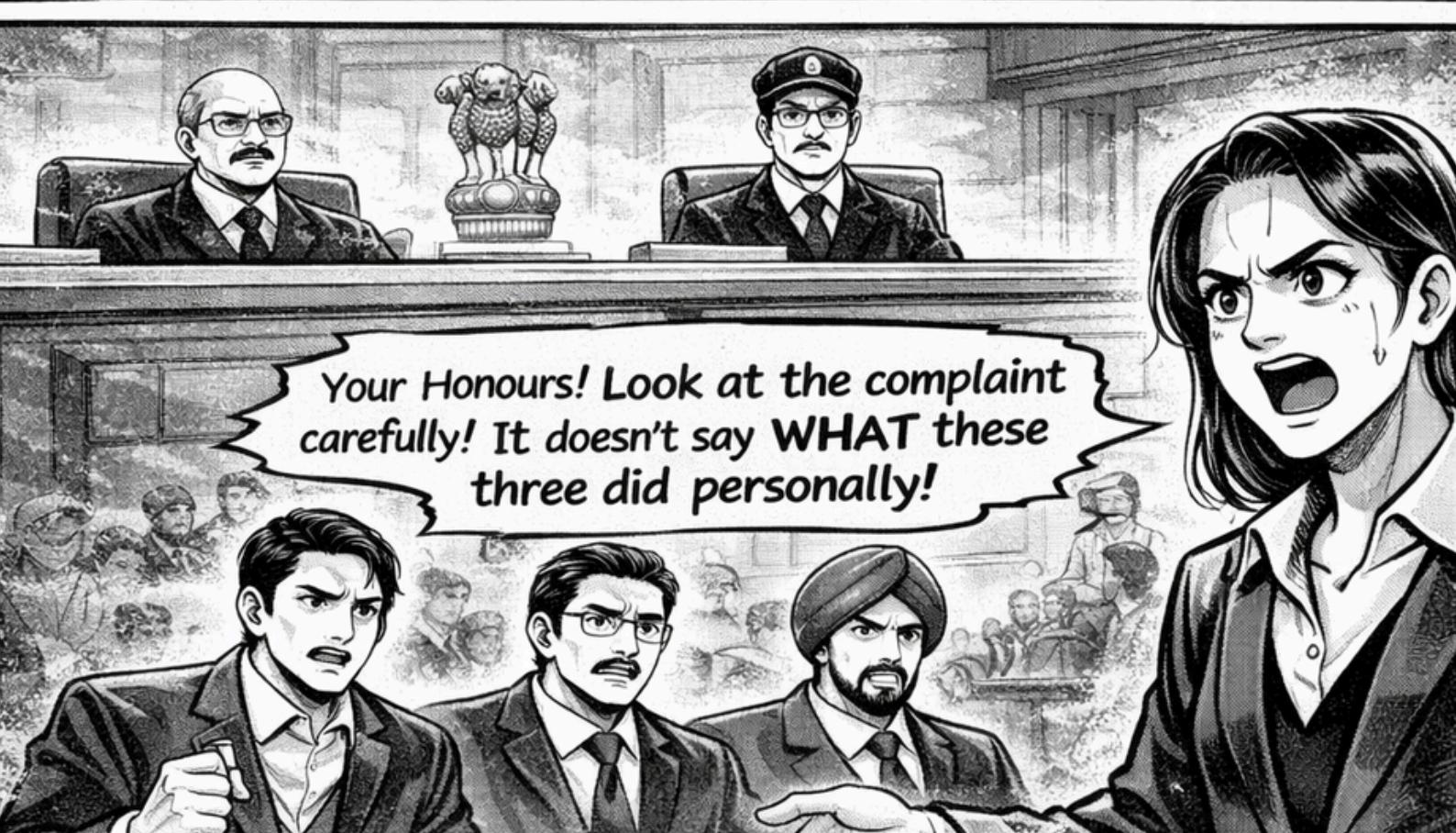
CHAPTER 4: HIGH COURT DENIES

Depember 8, 2022

December 8, 2022 - Punjab & Harvana High Court



CHAPTER 5: THE SUPREME SHOWDOWN



CHAPTER 6: THE COURT'S WISDOM

Listen carefully. In criminal law, there is a fundamental principle...



THE CARDINAL RULE: **NO VICARIOUS LIABILITY UNLESS SPECIFICALLY PROVIDED BY STATUTE!**

Let me explain why...

1. The Act punishes the PERSON who commits the act



2. The complaint must show PERSONAL involvement



3. Being a director ≠ automatic criminal liability



4. The actual workers who cut trees weren't even charged!



5. The COMPANY wasn't charged either!



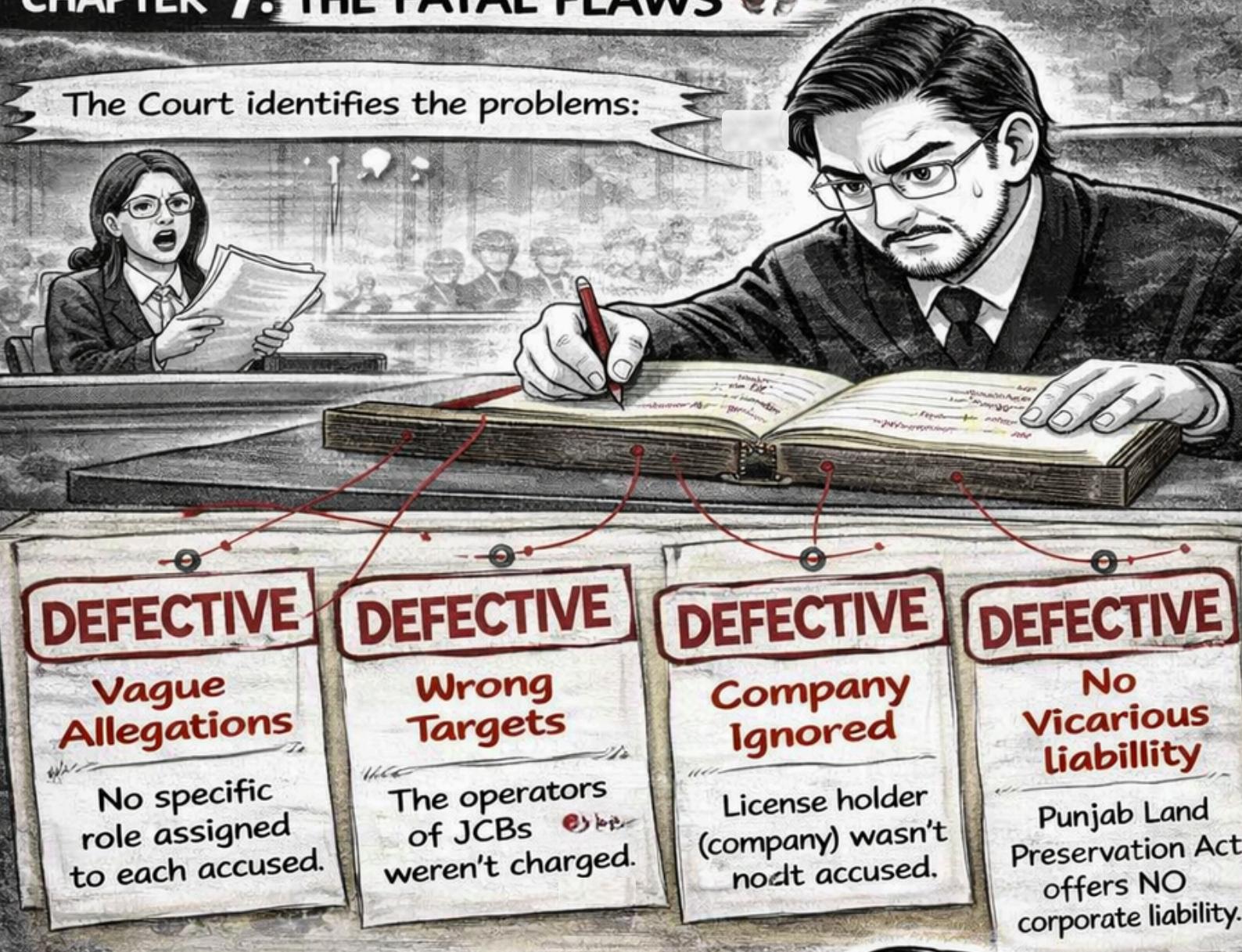
6. The COMPANY wasn't charged either!

How can you blame directors when you didn't even charge the company or actual culprits?



CHAPTER 7: THE FATAL FLAWS

The Court identifies the problems:



The Court declares:

You cannot arrest someone just because they're a Managing Director!
Criminal law requires **SPECIFIC** acts, not job titles!



CHAPTER 8: THE VERDICT

BANG!



JUDGE



All charges are quashed!

WE WON?!

YES! VICTORY!

THANK GOD!

YEAH!

CORPORATE
VICTORY!

YEAH!

Congrats. The law is clear.

NEWS