

Airport Authority of India v. Sham Krishna B 2026 INSC 69 - Public Employment - Reservation

Public Employment - Reservation - Migration of reserved category candidates who have not availed any concession or relaxation - A candidate belonging to reserve category who has scored higher marks than the cut off marks for the General Category candidates has to be treated as having qualified against an open unreserved vacant post. (Para 32)

Md. Firoz Mansuri v. State of Bihar 2026 INSC 68 - Bihar Pharmacist Cadre Rules - Constitutional Validity

Bihar Pharmacist Cadre Rules, 2014 (as amended in 2024) - Constitutional Validity Upheld - The prescription of eligibility criteria of 10+2 with Diploma in Pharmacy by the State cannot be said to be arbitrary or irrational- the decision of the State in making possession of a Diploma an essential qualification for appointment cannot be said to be arbitrary. The State has merely identified a narrower catchment of candidates it considers most suitable for a particular purpose, from within the larger pool registered pharmacists. (Para 62) There is no absolute exclusion of graduate or postgraduate degree holders.

They remain eligible, provided they possess the essential qualification of Diploma in Pharmacy.(Para 64)

Pharmacy Act, 1948 - The Act creates a pool of persons eligible to practise as pharmacists, it does not mandate that every registered pharmacist must be considered for appointment to public posts. Its scope does not extend to conferring a right to public employment merely by virtue of registration - The Act only creates a pool of eligible persons who may be appointed as pharmacists. (Para 47-49)

Constitution of India - Article 226 - The power of judicial review in matters of recruitment is limited to examining legislative competence, arbitrariness or violation of fundamental rights, if any. Courts cannot rewrite service rules, determine equivalence of qualifications, or substitute their own assessment for that of the employer. The scope of judicial review in matters of public employment does not extend to questioning the State's wisdom or policy in prescribing the minimum eligibility requirements for a public post. Qualifications are prescribed keeping in view the needs and interests of an institution, an industry or an establishment, as the case may be. Similarly, equivalence of a qualification is not a matter which can be determined in exercise of the power of judicial review. Whether a particular qualification should or should not be regarded as equivalent is a matter for the State, as the recruiting authority, to determine. The

assessment of the expediency, advisability or utility of such prescription of qualifications do not warrant intervention of the Courts unless the same are shown to be perverse. However, at the same time, the employer cannot act arbitrarily in prescribing qualifications for posts. (Para 59)

Constitution of India - Article 309 - The power to frame rules under Article 309 of the Constitution of India empowers the State to determine the most suitable qualifications for public posts based on its independent assessment. (Para 50)

Education - A qualification in one stream does not presuppose a qualification in another. (Para 62)

[Tulasareddi @ Mudakappa v. State of Karnataka 2026 INSC 67 - CrPC - Appeal Against Acquittal](#)

Code of Criminal Procedure 1973 - Section 378 - Appeal against Acquittal - If two reasonable conclusions are possible on the basis of the evidence on record, the Appellate Court should not disturb the findings of acquittal recorded by the Trial Court. Further, if the view taken is a possible view, the Appellate Court cannot overturn the order of acquittal on the ground that another view was also possible.- Principles Summarized: (a) whether the judgment of acquittal suffers from patent perversity; (b) whether the judgment is based on misreading/omission to consider

the material evidence on record; (c) an order of acquittal is to be interfered with only when there are “compelling and substantial reasons” for doing so. If the order is “clearly unreasonable”, it is a compelling reason for interference.’ (d) the appellate court, while deciding an appeal against acquittal, after reappreciating the evidence, is required to consider whether the view taken by the trial court is a possible view which could have been taken on the basis of the evidence on record; (e) if the view taken is a possible view, the appellate court cannot overturn the order of acquittal on the ground that another view was also possible; and (f) the appellate court can interfere with the order of acquittal only if it comes to a finding that the only conclusion which can be recorded on the basis of the evidence on record was that the guilt of the accused was proved beyond a reasonable doubt and no other conclusion was possible. (Para 29)

HT Media Limited v. Principal Commissioner Delhi South Goods and Service Tax; 2026 INSC 66 - Taxation -Event Management Contracts

Interpretation of Statutes - Taxing Statute - The principle of strict interpretation of a taxing statute, particularly in the context of charging provisions - In construing fiscal statutes and in determining the liability of a subject to tax one must have regard to the strict letter of law. If the revenue satisfies the court that the case falls strictly within the provisions of the law, the

subject can be taxed. If, on the other hand, the case is not covered within the four corners of the provisions of the taxing statute, no tax can be imposed by inference or by analogy or by trying to probe into the intentions of the legislature and by considering what was the substance of the matter.

Finance Act, 1994 - Event Management Contracts - The expressions ‘event management’ and ‘event managers’ is commonly understood in the sense of appointing someone to manage or organize the event. Individual contract for booking of persons required for participation in the event are not commonly understood as “event management” contracts. (Para 48)

X v. O/O Speaker of the House of People 2026
INSC 65 - Judges Inquiry Act - Writ Jurisdiction

Judges (Inquiry) Act, 1968 - Section 3(2) Proviso 1 - In a case where notices of motion were given in both Houses on the same day, the fact that a notice is not admitted in one House will not necessitate constitution of a Joint Committee and the Speaker or the Chairman, as the case may be, can independently proceed to constitute a Committee- There is nothing in the Inquiry Act to suggest that rejection of a motion in one House would render the other House incompetent to proceed in accordance with law- It does not contemplate a scenario where a notice of motion is accepted in one House and

rejected in the other. The proviso applies to only one specific situation, namely, where notices of motion given on the same day have been admitted by both Houses. It does not restrict or negate the individual authority of either House of Parliament. (Para 12-14) **Role of the Secretary General** -Where no prescribed format exists, a notice containing allegations of impropriety against a Judge could not reasonably be treated as ineffective solely on account of perceived deficiencies in drafting or form. The role of the Secretary General was confined to placing the notice before the competent authority, namely, the office of the Chairman, without expressing any conclusion as to its admissibility. (Para 50)

Constitution of India - Article 124 - The process of removal of a Judge is indeed a tedious one involving various stages - Discussed (Para 1-6)

Constitution of India - Article 226 - Writ jurisdiction is exercised to test the legality of an existing order, and not to grant relief on the hypothesis that another authority ought to have acted differently- The settled limits of writ jurisdiction do not permit the Court to confer relief in vacuum, divorced from a direct challenge to the order which is alleged to be the source of illegality. (Para 45) If an order has been passed to the prejudice or detriment of a suitor and such suitor seeks to have the order declared invalid and quashed in writ proceedings, it is imperative that he lays the order to a

challenge, makes specific averments and urges cogent legal grounds to demonstrate its invalidity to enable him claim relief based thereon. (Para 40)

Constitution of India - Article 32- The extraordinary remedy under Article 32 is confined to enforcement of Fundamental Rights and does not extend to issuing advisory or corrective directions in relation to internal statutory mechanisms of the Parliament, where no present or inevitable infraction of any Fundamental Right is evinced. (Para 55)

Interpretation of Statutes - To read the statute in isolation of the Constitution would be grossly incorrect. Any interpretation of a statute which has the effect of generating an interpretation fouling the Constitution should be eschewed. (Para 17.2-4) **-Proviso:** A proviso cannot be read in a way which nullifies the provision to which it is a proviso , unless such an intention is manifest. (Para 12.4)

Disciplinary Proceedings - Every infraction of the rules governing discipline and control does not, by itself, vitiate disciplinary proceedings. A plea founded on infraction of procedure must necessarily be examined through the prism of prejudice, having regard to the nature of the rule alleged to have been infracted, namely, whether it is mandatory or merely directory. Such an enquiry presupposes the existence of infraction of a governing rule. (Para 34)

Rajasthan Public Service Commission v. Yati Jain ; 2026 INSC 64 - Waiting List - Writ Appeal -LPA

Service Law - Waiting List - The key aspects of a waiting list, in relation to service law disputes: (i) a waiting list is normally prepared after the select/merit list is drawn; (ii) it would include candidates who have qualified the recruitment examination but are not so meritorious such that they can be immediately appointed on the number of vacancies advertised; (iii) such list would operate like a merit-based queue for vacancies that remain unfilled after offers of appointment given to the candidates in the select/merit list are not accepted; (iv) a waiting list has a limited validity period; (v) validity period of a waiting list depends on the recruitment rules and should no such period be mentioned, it can bona fide be operated till the next advertisement is issued without, however, violating provisions in such rules, if any, requiring recruitment process to be initiated either semi-annually or annually; and (vi) an opportunity to a candidate in the waiting list for securing appointment arises only when vacancies remain unfilled after the process of appointing candidates from the select/merit list is over and hence, it is regarded as a procedural outcome which is part of a structured process rather than a fortuitous circumstance- A wait-listed candidate has no right of

appointment, much less an indefeasible right, except when the governing recruitment rules permit a small window authorizing appointments therefrom in the specified exceptional circumstances and the appointing authority, for no good reason, denies or refuses an appointment or the reason assigned therefor is found to be arbitrary and/or discriminatory and that too, when the waiting list has not expired. (Para 86-90)

Constitution of India - Article 226 -Intra Court Jurisdiction - Letters patent appeal - A letters patent appeal, as permitted under the Letters Patent, is normally an intra-court appeal whereunder the Letters Patent Bench, sitting as a “Court of Correction”, corrects its own orders in exercise of the same jurisdiction as was vested in the Single Bench: Exercise of intra-court appellate jurisdiction could be called for if the judgment/order under challenge is palpably erroneous or suffers from perversity; but, it may not be exercised when two views are possible on a given set of facts and one of two views has been taken which is a plausible view. (Para 50-51) **“Person aggrieved”**: A writ appeal is a continuation of the original writ petition - anyone who may file a writ petition would have the locus standi to file a writ appeal albeit with some caveats: A person aggrieved having locus standi to prefer an appeal would be one who is directly affected or impacted by a judgment, order or decision even though the same does not directly require him to do something, or, one, who being a party to a suit, is adversely affected by the

decree. To file an appeal, such a person typically needs to show affectation of a legal right or interest, or that he is likely to suffer a legal wrong as a result of its impact. A mere interest or concern in the subject matter decided by the original court would not be enough - the conditions that need to be satisfied before a person is entitled to maintain an appeal. These are: 1) that the appealing party has been a party in the proceedings from which the appeal has arisen; 2) that the definitive and conclusive ruling of the High Court on the rights of the parties in dispute is the subject of the appeal; and 3) that he is a 'person aggrieved', that is, a party who has been adversely affected by the determination. Condition (1) supra may, however, stand relaxed in given cases (Para 50- 67)

Appeal -An appeal is always a creature of statute - The right of appeal is the right of reaching out to a superior court, invoking its authority to have a relook at the facts vis-à-vis the law applicable and to rectify the errors committed by a court inferior in the hierarchy. It is a very valuable right. Therefore, when the statute confers such a right of appeal, it is open to the person aggrieved to seek correction of the errors committed by the inferior court. (Para 45-46)

Public Service Commission - Although the recommendations made by a Public Service Commission are not binding and hence, may or may not be accepted by the Government of the State, one thing is clear: the

latter has no authority to appoint anyone not recommended by the former. (Para 73)

Executive instructions - executive instructions may supplement, but not supplant, statutory rules and should be subservient to statutory provisions.

Constitution of India - Article 14,226 - Perpetuation of illegality ought to be shunned by any Court of law. This forms the basis for denying the plea of negative equality -The illegality in recommending some of the candidates figuring in the reserve list could not have been made the basis for issuance of a writ of mandamus citing Article 14 of the Constitution. (Para 101-102)

Constitution of India - Article 226 - Service Disputes - A substantial number of service-related disputes pending across the country are aggravated by protracted and recurring litigation, resulting in a state of perpetual flux for many candidates across the country. The judiciary would do well to remain circumspect of these practical realities, and interpret service rules in a manner that furthers the very object of a selection process, that is, the selection of the most suitable candidates from suitable candidates for appointment in a timely manner. (Para 123)

Summary: Appeal by the Rajasthan Public Service Commission against High Court orders that had directed the appointment of candidates from a reserve list after

several originally selected individuals failed to join their posts - Allowing appeal, SC held that the Commission had the locus standi to appeal as a constitutional body ; wait-listed candidates possess no indefeasible right to appointment, particularly once the statutory validity period of the list has lapsed; the six-month validity of a reserve list under the relevant rules must be strictly calculated from the date the original list was forwarded rather than from the date a vacancy later arose due to non-joining.

State of Haryana v. Krishan Kumar & Ors.; 2026 INSC 63 - Drug Rules - Inspectors Appointment

Drug Rules, 1945 -State made Rules cannot be construed so as to invalidate or prevail over the central Drug Rules (Para 44)- The rules framed by the State Government by adding experience in addition to the qualification prescribed by the Drugs Rules cannot be made applicable for their appointment as Inspectors. (Para 50)

Legal Maxim - Expressio unius est exclusio alterius' means the "express mention of one thing excludes others." [Context: SC held that once the Centre has consciously and expressly occupied the field by placing

the Drug Rules framed 55 under the D&C Act before both Houses of the Parliament as provided under Section 38, any inconsistent exercise of power by the State, even under the proviso to Article 309 of the Constitution of India, stands impliedly excluded.]

Amit Kumar v. Union of India 2026 INSC 62 - Higher Educational Institutions - Student Suicides - Directions Issued

Higher Educational Institutions - Student Suicides - The Supreme Court, acknowledging a surge in student suicides, reviewed an interim report from a National Task Force that identified systemic stressors in Higher Educational Institutions—ranging from inadequate support systems, ragging, academic pressure, financial delays, and poor mental health services—to fragmented implementation of existing policies. Exercising Article 142, the Court issued directions including mandatory police reporting of any student suicide or unnatural death, annual reporting to regulators, filling faculty and leadership vacancies within four months, clearing scholarship backlogs promptly, ensuring round-the-clock medical access, and strict compliance with UGC regulations on equity, anti-ragging, sexual harassment, and grievance redressal. The Court also asked the Task Force to develop model SOPs for wellbeing audits, faculty

training, and campus mental health services, aiming for a unified, enforceable student well-being framework.

Sanjay Paliwal v. Bharat Heavy Electricals Ltd.; 2026 INSC 61 - Mandatory Injunction - Cloud Over Possession

Specific Relief Act, 1963 - Section 41 - When there is a cloud over possession of the disputed property, the suit for injunction simpliciter is not maintainable - The appropriate and efficacious remedy available is to institute a suit for possession along with a consequential relief of injunction, and not a suit for injunction simpliciter - When there is no cloud over title or possession, or where the defendant's occupation flows from a licence or permissive arrangement, a suit for mandatory injunction is maintainable as the most efficacious remedy - The expression "equally efficacious remedy" denotes a remedy which would place the Plaintiffs in the same position in which he would have been had the relief of injunction not been sought. (Para 16-23)

Authority for Advance Rulings (Income Tax) v. Tiger Global International II/III/IV Holdings; 2026 INSC 60 - Taxation - GAAR

General Anti-Avoidance Rule- The prescription of the cut-off date of investment under Rule 10U(1)(d) stands diluted by Rule 10U(2), if any tax benefit is obtained based on such arrangement. The duration of the arrangement is irrelevant. (Para 46)

International Law - Taxation - It is a fundamental rule of international taxation that every nation has a sovereign right to impose tax on the global income of its residents and on income that accrues or arises within its territorial limits. These twin rights are referred to as residence-based or source-based taxation - **Tax Treaty** - Treaty provisions are expressions of sovereign policy of more than one sovereign State, negotiated and entered into at a political/diplomatic level and having several explicit and/or subliminal and unarticulated considerations as their bases. A tax treaty must be seen in the context of aiding commercial relations between treaty partners and as being essentially a bargain between Contracting States as to the division of tax revenues between them in respect of income falling to be taxed in both jurisdictions. (Para 38-39)

Taxation - Tax Planning - Tax Evasion - Though it is permissible in law for an assessee to plan his transaction so as to avoid the levy of tax, the mechanism must be permissible and in conformity with the parameters contemplated under the provisions of the Act, rules, or notifications. Once the mechanism is found to be illegal or sham, it ceases to be “a permissible

avoidance” and becomes “an impermissible avoidance” or “evasion” (Para 49)

Legislation - Parliament is well within its right to bring in a law, either by amendment, substitution, or introduction so as to remove the basis of a judicial decision. (Para 27)

Circulars - Circulars though binding on the Revenue at the time of their issuance, operate only within the legal regime in which they were issued and cannot override subsequent statutory amendments. (Para 27)

Vayyaeti Srinivasarao v. Gaineedi Jagajyothi; 2026 INSC 59 - Transfer of Property Act - Stamp Act

Transfer of Property Act 1882- Section 54 - A contract for sale (agreement to sell) would not confer any title nor transfer any interest in an immovable property (except to the limited right granted under Section 53A of the Act). Thus, an agreement to sell or a contract for sale with or without possession is not a conveyance deed. Therefore, a sale of immovable property can only be made by a registered instrument and that an agreement of sale does not create any interest or charge on its subject matter. (Para 5.10)

Transfer of Property Act 1882- Section 53A-

Section 53A applies to a person who contracts to transfer immovable property in writing. If the proposed transferee in the agreement has taken possession of the property or he continues in possession thereof being already in possession in part 26 performance of the contract and has done some act in furtherance of the contract and transferee has performed or is willing to perform his part of the contract, the transferor shall be debarred from enforcing any right in respect of the property- In a case where a person claims benefit of part performance, evidence that he was inducted into possession for the first time subsequent to the contract, would be a strong piece of evidence regarding the contract and of possession changing hands pursuant to the contract. Continuous possession of a tenant in the suit property even after entering into the sale agreements would not by itself amount to a part-performance, putting the tenant in possession of the suit properties pursuant to the sale agreements.

(Para 5.12-13)

Transfer of Property Act 1882- Section 111 -

Distinction between an express and implied surrender - While express surrender is a matter of intention of the parties, implied surrender is by implication of the law. An implied surrender is the act of the law and takes place independently of and in some cases even in spite of the intention of the parties. (Para 5.7)

Elegna Co-Op Housing & Commercial Society Ltd v. Edelweiss ARC Ltd, 2026 INSC 58. - S.7 IBC - Homebuyer Society Locus

Insolvency and Bankruptcy Code 2016 - Section

7- The right to initiate or participate in insolvency proceedings is statutory, not equitable - A society or Resident Welfare Association, not being a creditor in its own right and not recognised as an authorised representative of allottees under the IBC, has no locus standi to intervene in proceedings arising out a Section 7 petition (Para 13.22)- Proceedings under Section 7 are essentially bipartite at the admission stage, involving only the financial creditor and the corporate debtor. Unrelated third parties including other creditors, have no independent right of audience at this stage.(Para 13.11) At the pre-admission stage, proceedings under Section 7 remain in personam, and neither the Adjudicating Authority nor the Appellate Authority is required to hear other creditors, much less unrelated third parties. When proceedings are in personam, no right of audience inheres in persons who are strangers to the debt and default forming the basis of the application. (Para 13.5)

Insolvency and Bankruptcy Code 2016 - Section

30- If the CoC approves a resolution plan in derogation of the objectives, scheme, and ethos of the Code, the NCLT is not rendered powerless at the stage of approval

(Para 12.17)- While the commercial wisdom of the Committee of Creditors is paramount and is not ordinarily amenable to judicial review, the width of powers vested in the CoC carries with it a corresponding duty of responsibility. Any extraordinary or non-routine decision taken by the CoC must be supported by cogent reasons duly recorded in writing. (Para 15.1)

**State of Himachal Pradesh vs Chaman Lal; 2026
INSC 57 - Evidence Act - Dying Declaration -
Appeal Against Acquittal - Hostile Witness -
Motive**

Indian Evidence Act 1872 - Section 32 - A dying declaration need not be made in expectation of immediate death; that a conviction under Section 302 IPC can rest solely on a dying declaration if it is found to be voluntary, truthful and reliable; and that corroboration is not a rule of law but one of prudence. (Para 16) - The law does not prescribe any rigid form for recording a dying declaration. So long as the Court is satisfied that the declaration is voluntary, truthful and reliable, hyper-technical objections cannot form the basis for its rejection. (Para 18.3) No absolute proposition that a dying declaration must invariably be discarded in the absence of corroboration. Each case must necessarily turn on its own facts. (Para 25)

Code of Criminal Procedure 1973 - Section

378,386- Where a judgment of acquittal is found to be manifestly erroneous, perverse, or founded on a misreading of evidence or incorrect application of law, this Court would be justified to set aside the acquittal and record a conviction, albeit exercising such power with circumspection and in exceptional circumstances. (Para 13)

Criminal Trial - Hostile Witness -The testimony of a hostile witness can be relied upon only to the extent it is corroborated by other reliable evidence. (Para 20)

Motive- Motive assumes significance, primarily in cases based on circumstantial evidence. Where there is direct evidence in the form of a credible and trustworthy dying declaration, the absence of strong proof of motive is not fatal to the prosecution case. (Para 23)

**Dinesh Biwaji Ashtikar v. State of Maharashtra
2026 INSC 56 - S.12 Right To Education Act
-“Neighbourhood School” Obligation To Admit**

Constitution of India - Article 21A ; Right of Children to Free and Compulsory Education Act,

2009 - Section 12- The obligation of a “neighbourhood school” to admit children belonging to weaker and disadvantaged sections of our society- It is necessary and compelling to formulate subordinate legislation by issuing necessary rules and regulations, prescribing the method and manner by which children of weaker and disadvantaged sections are to be admitted in neighbourhood schools. Without such enforceable rules and regulations, the object of Article 21A and the statutory policy under Section 12(1)(c) would be a dead letter - Supreme Court direct the appropriate authorities to prepare and issue, in consultation with the NCPNR and SCPCRs, as the case may be, as well as the National and State Advisory Councils, necessary rules and regulations under Section 38 of the Act for implementing the mandate of Section 12(1)(c) of the Act.

Constitution of India - Article 21A -The consequence of identifying the right to elementary education as a positive right is the recognition of corelative duties and identification of five duty bearers, being (i) the appropriate government, (ii) the local authority, (iii) the neighbourhood schools, (iv) the parents/guardians, and (v) the primary school teachers. (Para 6)

Constitution of India - Fraternity -A correct appreciation of fraternity must displace the traditional but mistaken view, often repeated in constitutional discourse, that it is not an enforceable value. Our

constitutional jurisprudence compels us to read fraternity as a value requiring the State to structure institutions that nurture co-existence, mutual respect, and a sense of common membership. Unlike equality and liberty, which are frequently framed as individual rights-claims, fraternity is relational; it operates through institutional arrangements that enable individuals to “lose suspect identities” based on caste, class or other hierarchies and to form solidaristic bonds. (Para 8)

Centre for Public Interest Litigation v. Union of India; 2026 INSC 55 - S.17 A Prevention Of Corruption Act - Constitutional Validity - Split Verdict

Prevention of Corruption Act, 1988 - Section 17A - Constitutional Validity - Split Verdict - Justice KV Viswanathan held: Section 17A is constitutionally valid, subject to the condition that grant or refusal of the approval by the competent authority mentioned therein will depend on the recommendation of the Lokpal/Lokayukta (in case of States) respectively - Justice BV Nagarathna opinion: Section 17A is contrary to the objects of the said Act and unconstitutional and hence ought to be struck down - In view of divergent views, matter placed before CJI.

**Kanchana Rai v. Geeta Sharma 2026 INSC 54
-Ss.21,22 Hindu Adoptions and Maintenance Act**

Hindu Adoptions and Maintenance Act, 1956 -
Section 21,22- “Any widow of the son” of a deceased Hindu is a dependant within the meaning of Section 21 (vii) of the Act and is entitled to claim maintenance under Section 22 of the Act - (Para 29) A widow of the deceased son of the Hindu is a dependant irrespective of the time she becomes a widow (Para 15)- It cannot be interpreted to mean that only a widow of the predeceased son of a Hindu would be covered by the said definition. (Para 16)

Hindu Adoptions and Maintenance Act, 1956 -
Section 19,22- Section 19 contemplates for the maintenance of the daughter-in-law during the lifetime of father-in-law, whereas, Section 22 contemplates “maintenance of dependants” including “widowed daughterin-law” from the estate of her father-in-law meaning thereby that a claim under Section 22 can be raised only after the death of the father-in-law. (Para 28)

Constitution of India - Article 14 -The classification sought to be made between widowed daughters-in-law based solely on the timing of the husband’s death, namely, (a) those whose husbands died 11 during the lifetime of the father-in-law, and (b) those whose husbands died after him; is manifestly unreasonable and arbitrary- Denial of maintenance to one category based on a fortuitous circumstance beyond their control is

manifestly arbitrary and violative of the guarantee of equality before law under Article 14 of the Constitution (Para 23) Article 21 -Article 21 of the Constitution, which guarantees the right to life with dignity. The right to life has been judicially expanded to include the right to livelihood and basic sustenance. Denying maintenance to a widowed daughter-in-law from the estate of her deceased father-inlaw on a narrow or technical construction of the statute would expose her to destitution and social marginalization, thereby offending her fundamental right to live with dignity. (Para 24)

Hindu Adoptions and Maintenance Act, 1956 - Section 4- Section 4 of the Act has an overriding effect but it does not erase away fundamental principles of Hindu law particularly where some doubt is raised about the codified provisions. [Context: Supreme Court quotes ""No mother, no father, no wife, and no son deserves to be forsaken." from Manu Smriti while interpreting a provision in Hindu Adoptions and Maintenance Act in favour of a widow.]

Interpretation of Statutes - It is a cardinal principle of interpretation of law that where the provision is clear and unambiguous, it has to be interpreted literally provided the literal interpretation is not in conflict with the purpose of the Act or is otherwise not impractical - The courts cannot add or subtract any word from the text of the statute. The provisions of the statute cannot be re-written by the courts by assuming or inferring

something which is not implicit from the plain language of the statute. (Para 17-22)

Sujata Bora v. Coal India Limited 2026 INSC 53 - RPwD Act - Corporate Social Responsibility - Reasonable Accommodation

.Concept of “reasonable accommodation” (Para 13- 22) Rights of persons with disabilities have to be viewed from the prism of Corporate Social Responsibility in order to protect and further such rights. True equality at the workplace can be achieved only with the right impetus given to disability rights as a facet of Corporate Social Responsibility. (Para 27)

Constitution of India - Article 39,41- The principles contained in Articles 39(a) and 41 must be regarded as equally fundamental in the understanding and interpretation of the meaning and content of fundamental rights. (Para 22)

Alka Shrirang Chavan v. Hemchandra Rajaram Bhonsale 2026 INSC 52 - Specific Relief Act - Transfer Of Property Act - Lis Pendens

Specific Relief Act 1963 -Section 19 ; Transfer of Property Act - Section 52 -Section 19(b) Specific Relief Act would be available to a party to a contract who suffers a subsequent transfer of property -It operates at

a stage prior to institution of a suit or proceeding. However, the moment a suit or proceeding is instituted by a party to the contract whereafter there is transfer of the suit property, Section 19(b) of the Specific Relief Act would have to give way to Section 52 of the Transfer of Property Act in which event the doctrine of lis pendens would come into force. (Para 47-50)

Transfer of Property Act - Section 52 - Lis Pendens - Transfer pendente lite is neither illegal nor void ab initio. But it remains subservient to the decree that may be passed by the court. (Para 66)

Limitation Act 1963- Article 129 - Period of limitation of 30 days for filing an application for possession after removing resistance or obstruction to delivery of possession of immovable property decreed or sold in execution of a decree. This period of 30 days is to be counted from the date of resistance or obstruction- Article 134- The period of limitation for delivery of possession by a purchaser of immovable property at a sale in execution of a decree is one year which limitation period would begin to run from the date when the sale becomes absolute. (Para 71)

**Ansal Crown Heights Flat Buyers Association v.
Ansal Crown Infrabuild Pvt. Ltd. - 2026 INSC 51.
Consumer Protection Act - Companies Act - IBC**

Consumer Protection Act, 2019 - Section 71 -
Execution must strictly conform to the decree - A decree cannot, by process of execution, be employed to shift or enlarge liability so as to bind persons who were neither parties to the decree nor otherwise legally liable thereunder. Where the judgment debtor is a company, the liability of its shareholders or joint venture partners remains confined to the extent of their shareholding or to such guarantees or undertakings as may have been expressly furnished by them. (Para 12-13)

Companies Act 2013 - A company registered under the Companies Act is a distinct legal entity other than the legal entity or entities that hold its shares - a clear distinction must be maintained between a company and its shareholders. (Para 16) **Doctrine of lifting of the corporate veil -** The lifting of the corporate veil is an exceptional measure, to be resorted to only upon a clear finding that the corporate personality was abused for fraudulent or dishonest purposes. Such a finding must be preceded by specific pleadings and a determination on merits. (Para 18)

Insolvency and Bankruptcy Code, 2016: Section 14 - Once a moratorium has been declared against the judgment debtor company, the modes of execution contemplated under including attachment and sale of

movable or immovable property, attachment of bank accounts, or withdrawal of decretal amounts from the accounts of the judgment debtor, stand interdicted. (Para 15)

Ravi Shankar Bhushan v. Union of India 2026 INSC 50

Summary: SC recorded compliance with prior directions to recover bank dues into the Fund for persons with disabilities, acknowledged cumulative recoveries of ₹212.39 crore, and recognized that the erstwhile Trust Fund now operates as the statutory National Fund under the RPwD Act. The Court dissolved the oversight committee, relieved the CAG of chairing duties, and placed ongoing administration of the National Fund on the Central Government per Section 86 and Rule 42.

State of U.P. v. Dinesh Kumar; 2026 INSC 49 - Public Employment- Non Disclosure - Criminal Cases

Public Employment - Non-Disclosure Of Criminal Cases- Proper and complete disclosure in applications for government employment is not a simple procedural formality, but a basic requirement rooted in fairness, integrity, and public trust. -While

non-disclosure, depending on the nature of the offence and surrounding circumstances, may not invariably be fatal to a candidature, it nevertheless remains a serious lapse. The gravity is significantly compounded when the non-disclosure is repeated, as it ceases to be accidental or inadvertent and instead reflects deliberate concealment. Such strikes at the core of trust reposed in candidates for public service, where honesty and transparency are indispensable attributes, and justify a far stricter view by the authorities. (Para 6) [In this case, the SC noted that, the disclaimer makes it clear that concealment of information would render the applicant ineligible/unfit for government service- **Held:** Subsequent acquittal or the fact that he attempted to come clean about the suppression of facts cannot accrue to his benefit.]

Legal Maxim - Juda lex sed lex - The law may be harsh, but the law is law. (Para 9)

Kishorilal (D) v. Gopal 2026 INSC 48 - CPC - Abatement - Specific Performance Suit - Res Judicata - Lis Pendens

Code of Civil Procedure, 1908: Order XXII - Abatement- Before declaring a suit or proceeding to have abated on ground of non-substitution of the heirs/ legal representatives of a deceased party, the Court must examine whether the interest of the deceased party qua

the subject matter of the proceeding is sufficiently represented by other parties already on record. If the interest of the deceased party is sufficiently represented by other parties already on record, and the decree/order eventually passed in the suit or proceeding would not be rendered non-executable for absence of that party, the suit or proceeding would not abate. (Para 38(1))

Specific Performance Suit- In a suit for specific performance of an agreement for sale of an immovable property, vendor is a necessary party notwithstanding he has transferred his interest in the property to a third party. As a sequitur, a suit or an appeal emanating from such a suit would abate if, upon death of the vendor, his legal heirs/ representatives are not substituted. (Para 38(2))

Transfer of Property Act 1882- Section 52 - Lis Pendens - Though a transfer lis pendens is not always void, such transferee's title is subservient to the decree that may ultimately be passed in the pending suit. (Para 38(3))

Code of Civil Procedure, 1908 - Order I- A transferee lis pendens is not a necessary party in a suit for specific performance. (Para 38(3))

Code of Civil Procedure, 1908 - Order I- A transferee lis pendens may pursue the appeal against a decree of specific performance against the vendor, as a legal representative/ inter-meddler of the estate of the

vendor- The vendor would have to be impleaded as a party in the appeal and on his death, on non-substitution of his heirs /legal representatives, the appeal would abate. (Para 38(4))

Code of Civil Procedure, 1908: Order I Rule 10-Specific Performance Suit - the vendor is a necessary party in a suit for specific performance of an agreement for sale, notwithstanding that vendor has transferred his interest in the subject matter of the agreement to a third party. Reason being that the transferee/ third party cannot be subjected to special covenants, if any, between the vendor and the plaintiff-purchaser. Besides that, the object of the decree of specific performance is to put the person who has agreed to purchase the property in the same position which he would have obtained in case the contracting parties i.e., vendor and the purchaser had, pursuant to the agreement, executed a deed of sale and completed it in every way.

Res Judicata - The principle applies also as between two stages in the same litigation to the extent that a court, whether the trial court or a higher court having at an earlier stage decided a matter in one way will not allow the parties to reagitate the matter again at a subsequent stage of the same proceedings. However, what is important is that this does not preclude the appellate court or a higher court to test the correctness of that decision. (Para 31)

State of Uttar Pradesh v. Anurudh 2026 INSC 47 -POCSO - Bail - Medical Age Determination

Protection of Children from Sexual Offences Act, 2012 -POCSO Act - Bail ; Juvenile Justice (Care and Protection of Children) Act, 2015- JJ Act- Section 94 - Determination of age of the victim is a matter of trial and not at the stage of bail. If the age is under question, the bail Court may examine the documents produced to establish age, but it will not enter into the question of those documents being correct or not so - A medical determination of age of a victim cannot be resorted to as a matter of course, much less mandated. It can only be employed in a given circumstance when the other stipulations of Section 94 JJ Act are not/cannot be met. (Para 16-17) If the question of age is raised at the stage of bail, it is only open for the Court to, from the perusal of the documents, take a *prima facie* view as to the age of the victim, not one on the correctness of the documents since that would amount to a mini trial. (Para 18)

Code of Criminal Procedure 1973 - Section 439- Court's jurisdiction, i.e., either the Court of Sessions or the High Court under Section 439 CrPC is limited to adjudicating the question of the person concerned being released into society pending trial or whether they should continue to be incarcerated. (Para 11.2) Section 439 is limited to granting bail or anticipatory bail and

requires the Court to consider only prima facie evidence, the risk of the accused absconding, tampering with evidence, or other relevant factors- The Court cannot undertake a mini trial at the bail stage. (Para 15.3)

POCSO Act - Romeo – Juliet clause -
Misuse/misapplication of the POCSO Act to settle scores and by families in opposition to relationships between young people- Government of India, to consider initiation of steps as may be possible to curb this menace (1) the introduction of a Romeo – Juliet clause exempting genuine adolescent relationships from the stronghold of this law; (2) enacting a mechanism enabling the prosecution of those persons who, by the use of these laws seeks to settle scores etc. (Para 19)

POCSO Act - JJ Act - Unlike an offender who can claim benefit of juvenility at any point in time, even after completion of proceedings given the beneficial nature of the JJ Act, a victim of a crime cannot claim to be a juvenile at any point in time, for the charges against which an offender is tried, are intrinsically tied to the age of the victim.(Para 14.9)

JJ Act- The object of Section 9 is to ensure that no juvenile offender is tried as an adult merely due to an initial misclassification and to safeguard the rehabilitative and welfare-oriented spirit of the juvenile justice system by ensuring that every child in conflict with law is tried by the appropriate forum, i.e., the JJB. (Para 14.6)

Constitutional powers and Statutory Powers

-Constitutional powers are sovereign, foundational, and insulated from the vicissitudes of ordinary legislation; they can neither be curtailed nor expanded by parliamentary enactment. Statutory powers, by contrast, are subordinate and mutable, existing at the pleasure of the Legislature, which may at any time amend, restrict, or repeal them through the ordinary legislative process. The constitutional power cannot overshadow the statutory power, enlarging its scope beyond what has been envisaged by the statute -while both powers rest with the High Court, one power cannot usurp the ambit of another, unless otherwise permitted by law. (Para 11.3)

Summary: The Supreme Court set aside an Allahabad High Court judgment that, while granting bail in a POCSO case, mandated medical age determination at the investigation's outset and allowed bail courts to weigh age-document credibility. It held that bail jurisdiction under Section 439 CrPC is limited, age determination of the victim must follow Section 94 JJ Act during trial (medical tests only if documents are unavailable), and bail courts cannot conduct a mini-trial or fuse constitutional powers into statutory proceedings. The Court preserved existing bail orders, prospectively nullified the High Court's directions (including in Monish and Aman), and urged consideration of reforms like a Romeo–Juliet clause to prevent misuse of POCSO in consensual adolescent relationships.

Jindal Equipment Leasing Consultancy Services Ltd v. Commissioner of Income Tax, Delhi-II, New Delhi; 2026 INSC 46- S.28 Income Tax Act - Amalgamation - Receipt Of Shares

Income Tax Act, 1961 - Section 28 - Receipt of shares of the amalgamated company in substitution of stock-in-trade can give rise to taxable business profits under Section 28- (Para 31) -The enquiry for the Court is whether, as a result of the amalgamation, the assessee has in fact realised a profit in the commercial sense. This assessment may turn on whether: (A) The old stock-in-trade has ceased to exist in the assessee's books; (B) The shares received in the amalgamated company possess a definite and ascertainable value; and (C) The assessee, immediately upon allotment, is in a position to dispose of such shares and realise money- If these conditions are satisfied, the substitution bears the character of a commercial realisation and the profit may be taxed under Section 28. Where, however, the allotment of shares is merely a statutory substitution mandated by the scheme of amalgamation, without yielding an immediately realisable benefit, no income can be said to accrue or be received at that stage, and taxability arises only upon the eventual sale of the shares (Para 18)

Income Tax Act, 1961 - Section 260-A -Scope -

Limits higher appellate interference to questions of law, while at the same time, permitting the Court to deal with necessary or incidental questions that arise, provided reasons are recorded and parties are heard -Merely because a specific substantial question of law was not framed, it cannot be concluded that prejudice was caused to the parties, if both parties had the opportunity to address the issues in dispute. (Para 9)

Income Tax Act, 1961 -Difference between a charging provision and an exemption provision:

A provision that enables the levy of tax on a particular transaction is a charging provision. Only a transaction that is covered by a charging provision is taxable. Only if the transaction is taxable can there be an exemption. (Para 12.1)

Amalgamation - Amalgamation, in corporate law, signifies the statutory blending of two or more undertakings into one. It is distinct from winding up: while the transferor company ceases to exist as a separate corporate entity, its business, assets, and liabilities are absorbed into and continue within the transferee -The transferor company ceases to exist, and the transferee emerges with a blended corporate personality, inheriting all rights and liabilities. (Para 16) Companies Act, 2013 contains no express definition of amalgamation. Amalgamation – ordinarily effected through a scheme of compromise or arrangement

sanctioned by the Court or Tribunal – is founded on agreement between shareholders and creditors, but its legal effect is statutory: upon sanction, all assets, rights, and liabilities of the transferor vest in the transferee by operation of law. In other words, amalgamation is more than a mere contractual transfer; it is a statutory process of substitution. (Para 16.1)

Shrikrishna v. State of Madhya Pradesh 2026 INSC 45 - IPC - Murder & Culpable Homicide

Indian Penal Code 1860 - Section 299,300-
Culpable homicide is genus, the murder is its specie. The two ingredients namely that the infliction of bodily injury on the deceased was caused intentionally and secondly, that the injury was sufficient to cause death in the ordinary course of nature, are satisfied, the offence would become the offence of murder. However, there may be circumstances which may emerge from the operative facts and the evidence available in a given case that the offence would be one of culpable homicide not amounting to murder. (Para 5)

Summary: The Supreme Court upheld appellant's conviction under Section 304 Part II IPC, rejecting charges under Sections 147, 148, and 149 due to absence of common object. Considering the appellant's age (80+) and time already served (about six years three months),

the Court reduced the sentence to period undergone and dismissed the appeal subject to this modification.

X v. State of Uttar Pradesh & Another; 2026 INSC 44 - POCSO Act - Bail

POCSO Act - Bail - Mere filing of a chargesheet does not, by itself, preclude consideration of an application for bail- However, the Court is duty-bound to have due regard to the nature and gravity of the offence and the material collected during investigation- In offences involving sexual assault against children, the likelihood of tampering with evidence or influencing witnesses constitutes a grave and legitimate concern. The safety of the victim and the need to preserve the purity of the trial process assume paramount importance. (Para 12-15)

Bail - Bail is not to be refused mechanically, it must not be granted on irrelevant considerations or by ignoring material evidence. (Para 16)

Summary: Supreme Court set aside the bail granted to accused in a POCSO case.

Ultratech Cement Ltd. v. State of Gujarat ; 2026 INSC 43- Gujarat Motor Vehicles Tax Act - Article 265 Constitution - Construction Equipment Vehicle

Gujarat Motor Vehicles Tax Act, 1958 ;Motor Vehicles Act, 1988 - Section 2(28) - Though the term motor vehicle is wide enough but it expressly excludes some of the motor vehicles which are of special type and have been adapted for use only in factory or in any other enclosed premises from its ambit - When the special type of vehicles meant to be used as construction equipment vehicle within the enclosed premises and as such ex-facie stands excluded from the definition of the motor vehicle as contained in Section 2 (28) – However, if any such kind of vehicles are found using roads, they would not be free from the rigors of Section 2 (28) of the Act and Section 3 of the Gujarat Tax Act and may also be subject to proceedings for seizure and penalty in accordance with the law. (Para 37-44)

Constitution of India - Article 265 & Seventh Schedule - Entry 57 of List II - State is competent to levy and collect tax on vehicles i.e., motor vehicles if they are suitable for use on roads. (Para 28) State tax Act cannot tax vehicles which are not suitable for being used on roads. (Para 31)

Yerram Vijay Kumar v. State of Telangana; 2026 INSC 42- S.212 Companies Act - Cognizance Taking

Companies Act, 2013: Section 212, 213 447,448-

Where the Special Court under the Companies Act is taking cognizance of an offence under a section in the Companies Act which, if proved, would make the person(s) 'liable under Section 447' or 'liable for action under Section 447', it must also invoke Section 447 with the corresponding section and in such a case, it must comply with the bar against taking cognizance as specified in the second proviso to Section 212(6) of the Companies Act (Para 59)- The offence under Section 448 is an offence 'covered under Section 447' of the Companies Act mentioned in Section 212(6), since the offence under Section 448 is inextricably linked to the punishment for 'fraud' as mentioned in Section 447 and as such, the second proviso to Section 212(6) of the Companies Act is attracted. (Para 33) The right recourse for a person, who makes an allegation of fraud in the affairs of a company is to file an application under Section 213 of the Companies Act before the NCLT upon satisfying the eligibility under Section 213(a) and 213(b) of the Companies Act. (Para 45)

Code of Criminal Procedure 1973 - Section 482 -

Civil Nature- mere institution or pendency of civil proceedings between the parties cannot be a ground to quash the criminal proceedings instituted by filing a complaint case or to conclude that the dispute is purely civil in nature. (Para 55)

Legal Doctrines - anything that cannot be done directly, also cannot be done indirectly. (Para 43)

Summary- The Supreme Court quashed cognizance under Sections 448 and 451 of the Companies Act, holding that offences “liable under Section 447” trigger the Section 212(6) bar and cannot proceed on a private complaint without an SFIO or authorised Central Government complaint. It directed transfer of the remaining IPC offences (Sections 420, 406, 426, 468, 470, 471, 120B) to a court of proper territorial jurisdiction, clarifying that civil/NCLT proceedings do not preclude criminal trial. The Court emphasized legislative intent post-2015 amendment, aligned with High Court views, and instructed expeditious adjudication while making no findings on merits of the IPC allegations.

Roshini Devi v. State of Telangana 2026 INSC 41 - Preventive Detention - Bail Apprehension

Telangana Prevention of Dangerous Activities of BootLeggers, Dacoits, Drug-Offenders, Goondas, Immoral Traffic Offenders [Land-Grabbers, Spurious Seed Offenders, Insecticide Offenders, Fertiliser Offenders, Food Adulteration Offenders, Fake Document Offenders, Scheduled Commodities Offenders, Forest Offenders, Gaming Offenders, Sexual Offenders,

Explosive Substances Offenders, Arms Offenders, Cyber Crime Offenders and White Collar or Financial Offenders] Act, 1986 - Mere apprehension on the part of the detaining authority that in the event of the detenu being released on bail, she was likely to indulge in similar crimes that would be prejudicial to maintenance of public order would not be a sufficient ground to order her preventive detention - Mere reproduction of the expressions mentioned in Section 2(a) of the Act of 1986 in the order of detention would not be sufficient. The detention order ought to indicate the recording of subjective satisfaction by the detaining authority in that regard.- There is a fine distinction between “law and order” and “public order”. Mere registration of three offences by itself would not have any bearing on the maintenance of public order unless there is material to show that the narcotic drug dealt with by the detenu was in fact dangerous to public health under the Act of 1986. (Para 9-10)

Summary: The Supreme Court allowed the appeal of Roshini Devi, quashing her mother's preventive detention under the Telangana Act of 1986 because the detaining authority failed to show how her alleged drug-related activities affected public order rather than merely law and order. The Court criticized reliance on bail apprehensions and past history without taking ordinary-law measures like bail cancellation, citing precedents that preventive detention is an extraordinary remedy requiring specific, relevant material and genuine

subjective satisfaction. It set aside the High Court's dismissal, ordered the detenu's release if not wanted elsewhere, and emphasized the distinction between public order and law and order.

Sumit Bansal v. MGI Developers and Promoters 2026 INSC 40 - NI Act - Cheque Bounce -Multiple Cheques

Negotiable Instruments Act 1881- Section 138 - A separate cause of action arises upon each dishonour of a cheque provided the statutory sequence of presentation, dishonour, notice, and failure to pay is complete. The fact that multiple cheques arise from one transaction will not merge them into a single cause of action-
[Context: In this case, the cheques forming the subject of the two complaints were distinct instruments drawn on different accounts, presented on different dates, dishonoured separately, and followed by independent statutory notices - **SC held:** The scheme of Section 138 of the NI Act does not bar prosecution in such circumstances. Whether those cheques were issued as alternative or supplementary instruments, or represented fresh undertakings, is a disputed question of fact requiring evidence at the time of trial and cannot be resolved at the threshold.]

Code of Criminal Procedure 1973 - Section 482 ; Negotiable Instruments Act 1881- Section 139 -

The statutory presumption attached to the issuance of a cheque, being one made in discharge of a legally enforceable debt or liability, is required to be accorded due weight. Therefore, in circumstances where the accused approaches the Court seeking quashing of proceedings even before the commencement of trial, the Court must exercise circumspection and refrain from prematurely stifling the prosecution at the threshold, particularly by overlooking the legal presumption that operates in favour of the complainant. (Para 43) Whether those cheques were issued as alternative or supplementary instruments, or represented fresh undertakings, is a disputed question of fact requiring evidence at the time of trial and cannot be resolved at the threshold. Questions such as whether the firm's cheques were issued in substitution of the personal cheques, whether the parties treated them as alternative securities, and whether both were intended to be simultaneously enforceable, are all mixed questions of fact. The inherent jurisdiction of the High Court under Section 482 of the Cr.PC cannot be used to decide such disputed issues. (Para 34)

Negotiable Instruments Act 1881- Section 139-

The burden of proving whether there exists any debt or liability is something which must be discharged in trial. A bare perusal of Section 139 of the NI Act would indicate that once a cheque is issued in discharge of liability and dishonoured, a presumption of liability in favour of the complainant arises. The accused person is

then required to rebut the presumption by raising facts that either there was no debt or liability when the cheque was drawn, or the cheque was not drawn in discharge of liability, or notice was not served in time. (Para 42)

Code of Criminal Procedure 1973 - Section 482 -
Even though the powers under Section 482 of the Cr.PC are very wide, its conferment requires the High Court to be more cautious and diligent. While examining any complaint or FIR, the High Court exercising its power under this provision cannot go embarking upon the genuineness of the allegations made. The Court must only consider whether there exists any sufficient material to proceed against the accused or not. (Para 28)

Summary: The Supreme Court addressed multiple Section 138 NI Act complaints arising from dishonoured cheques linked to a 2016 Agreement to Sell, where MGI Developers failed to execute sale deeds and issued both firm and personal cheques that were later returned unpaid. It held that each dishonour created a distinct cause of action, set aside the High Court's quashing of Complaint Case No. 3298/2019, and allowed that case to proceed, while upholding the refusal to quash Complaint Case Nos. 2823/2019, 13508/2019, and 743/2020. The Court emphasized that disputed factual issues and the statutory presumption under Section 139 must be tested at trial, leaving all contentions open.

**C.S. Prasad vs C. Satyakumar and Others; 2026
INSC 39 - S.482 CrPC - Quashing - Civil Suit -
Delay**

Code of Criminal Procedure 1973 - Section 482 - Civil Nature - Civil adjudication cannot always be treated as determinative of criminal culpability at the stage of quashment- Civil liability and criminal liability may arise from the same set of facts and that the pendency or conclusion of civil proceedings does not bar prosecution where the ingredients of a criminal offence are disclosed- Adjudication of forgery, cheating or use of forged documents in relation to a settlement deed will always carry a civil element. To permit quashing on the sole ground of a civil suit would encourage unscrupulous litigants to defeat criminal prosecution by instituting civil proceedings. (Para 26-28)

Code of Criminal Procedure 1973 - Section 482 -Delay - Delay in filing a complaint, by itself, is never a ground for quashing criminal proceedings at the threshold. Whether the delay stands satisfactorily explained or whether it impacts the credibility of the prosecution, is a matter of appreciation of evidence before the Trial Court and not for summary determination by the High Court under Section 482 of the Cr.PC.

Code of Criminal Procedure 1973 - Section 482 - Scope -Even though the powers under Section 482 of the Cr.PC are very wide, its conferment requires the

High Courts to be more cautious and diligent. While examining any FIR, the High Court exercising its power under this provision cannot go embarking upon the genuineness of the allegations made. The High Court must only consider whether there exists any sufficient material to proceed against the accused or not and must not be concerned with the reliability, sufficiency, or acceptability of the evidence. (Para 24) High Court in its jurisdiction under Section 482 is bound to take the allegations (made in complaint) on its face value. Whether these allegations can ultimately be proved is a matter strictly within the province of the Trial Court (Para 25)-when a factual foundation for prosecution exists, criminal law cannot be short-circuited by invoking inherent jurisdiction under Section 482 of the Cr.PC. Where allegations require adjudication on evidence, the proper course is to permit the trial to proceed in accordance with law. (Para 31)

Summary: The Supreme Court set aside the Madras High Court's order quashing criminal proceedings against accused.

State of Uttar Pradesh v. Bhawana Mishra 2026 INSC 38 - Educational Courses - Admission -Legitimate Expectation

Educational Courses - Admission - While advertisements for private colleges explicitly state that

admission does not grant a right to appointment, the absence of this specific disclaimer in government college advertisements does not mean a right to appointment is automatically implied. (Para 21)

Doctrine of Legitimate Expectation - Two tests -
(1) legitimacy of the expectation and (2) being denial of legitimate expectation that led to violation of Article 14. (Para 26)

Factual Summary: Supreme Court set aside Allahabad High Court orders that had directed Uttar Pradesh to appoint Ayurvedic Staff Nurse trainees, holding that mere admission and completion of training did not confer a right to appointment. It found that post-2011 policy changes allowing private institutions and the 2014 shift to UPSSSC recruitment, followed by 2021 service rules, required a competitive selection process, making the doctrine of legitimate expectation inapplicable.

Joint Director (Rayalaseema), ACB, A.P. v. Dayam Peda Ranga Rao 2026 INSC 37 - CrPC - Is It Necessary That Specific Place Has To Be Declared As A Police Station?

Code of Criminal Procedure 1973 - Section 2(s) -
There need not be a specific place to be declared as a

police station, as even a post being held by a police officer would constitute a police station- The definition clause is both exhaustive and inclusive. It is exhaustive to mean, any post or any place, while it includes any local area specified by the State Government. - Section 2(o)- This is an inclusive definition, which refers to a police officer at the station house, placed next in rank to the officer in charge, and is above the rank of constable, unless the State Government otherwise so directs. (Para 4)

Andhra Pradesh Reorganisation Act, 2014-
Section 2(f) - The term 'law' includes an order or other instrument having the force of law, and therefore, brings within its ambit a notification or a circular issued by a competent authority - Section 100-102 - Section 100 is a transitional provision, making the application of the existing law to the two States, conscious enough not to create any legal vacuum - There is indeed no requirement for any specific order of adoption, particularly for the State of Andhra Pradesh - The State of Andhra Pradesh continues to be the same State, as what has been done is, by merely carving out some of its territories, a new State has been created. (Para 8-10) The legal fiction should be so that the existing laws, prior to bifurcation, would continue to be in force in both the States, unless altered, repealed or amended in accordance with law. (Para 26)

Md Imran @ D.C. Guddu v. State of Jharkhand; 2026 INSC 36 - S.319 CrPC - Bail - Tests

Code of Criminal Procedure 1973 - Section 319 - Bail- When a person is added as an accused under Section 319 Cr.P.C. and that person is ultimately arrested and prays for bail, the relevant consideration at the end of the court while considering his plea for bail should be the strong and cogent evidence than mere probability of his complicity. The test that has to be applied is one which is more than *prima facie* case as exercised at the time of framing of charge, but short of satisfaction to an extent that the evidence, if goes unrebutted would lead to conviction. The Court should weigh factors like the nature of the offence, the quality of the evidence against the new accused and the likelihood of the person absconding or tampering with evidence. In other words, the court must be satisfied that there is strong and cogent evidence of the person's complicity at the threshold i.e. much higher than that required for framing charges against the original accused. (Para 14)

Muslimveetil Chalakkal Ahammed Haji v. Sakeena Beevi 2026 INSC 35 - Specific Performance

Specific Relief Act 1963- Specific Performance Suit- Supreme Court set aside the Kerala High Court and trial court decisions and granted specific

performance in favor of appellant and held : Suit was instituted within the prescribed period of limitation, reckoned from the date of the affidavit. The said affidavit not only ratifies the acts performed by the power of attorney holder Shri Muhammed Rafi Thangal but also records the unequivocal no-objection of the executant-defendant to transfer the ownership of the property in favour of the plaintiff-appellant. (Para 37)

Jan De Nul Dredging India Pvt. Ltd. v. Tuticorin Port Trust; 2026 INSC 34 - Ss.34,37 Arbitration Act

Arbitration and Conciliation Act - Section 34,37-

The scope of interference of the court with the arbitral matters is virtually prohibited, if not absolutely barred. The powers of the Appellate Court are even more restricted than the powers conferred by Section 34 of the Act. The appellate power under Section 37 of the Act is exercisable only to find out if the court exercising power under Section 34 of the Act, has acted within its limits as prescribed thereunder or has exceeded or failed to exercise the power so conferred. The Appellate Court exercising powers under Section 37 of the Act has no

authority of law to consider the matter in dispute before the Arbitral Tribunal on merits so as to hold as to whether the award of the Arbitral Tribunal is right or wrong. The Appellate Court in exercise of such power cannot sit as an ordinary court of appeal and reappraise the evidence to record a contrary finding. The award of the Arbitral Tribunal cannot be touched by the court unless it is contrary to the substantive provision of law or any provision of the Act or the terms of the agreement. (Para 37)

Arbitration - The Act is a special enactment which aims to resolve contractual/commercial disputes through arbitration with the minimum intervention of the court, if not without the intervention of the court. In the event, the courts are allowed to step in at every stage and the arbitral awards are subjected to challenge before the courts in hierarchy before court of first instance, through regular appeals and finally by means of SLP/Civil Appeal before the Supreme Court, it would obviate/frustrate and defeat the very purpose of the Act. It is therefore, necessary to accept the arbitral award if it

is not patently illegal or does not fall within the scope of intervention under Section 34 of the Act. The appeal thereof has a much narrower scope of intervention particularly when the arbitral award has been upheld under Section 34 of the Act. The appellate jurisdiction acquires little significance only when the arbitral award has been erroneously upheld or set aside by the court in exercise of its power under Section 34 of the Act. (Para 51)

The Property Company (P) Ltd. v. Rohinten Daddy Mazda; 2026 INSC 33 - Companies Act - CLB - S.5 Limitation Act - Delay Condonation Power

Companies Act 2013-Section 58(3) - Power of the CLB to extend time or condone delay -The simpliciter limitation period prescribed under Section 58(3) of the Act, 2013 must not be read to be merely directory. The presence of any additional pre-emptory language in the form of “but not thereafter” or “shall” would not always be necessary to convey that the prescribed period is mandatory. Section 433 of the Act, 2013 which empowers the NCLT and the NCLAT respectively to apply the provisions of the Act, 1963, as far as may be, to the proceedings and appeals before itself, cannot be

borrowed to signify the existence of a similar power with respect to the CLB. Regulation 44 of the CLB Regulations which saves the inherent power of the CLB would not enable the CLB to extend time for the filing of the appeal or the application itself, as the case may be.(Para 100)

Limitation Act 1963 - Section 5 -The provisions of the Act, 1963 (provisions that lay down a prescribed period of limitation as well as Sections 4 to 24 of the Act, 1963 respectively) would only apply to suits, applications or appeals, as the case may be, which are made under any law to ‘courts’ and not to those made before quasi-judicial bodies or tribunals, unless such quasi-judicial bodies or tribunals are specifically empowered in that regard. (Para 160)The principles underlying Section 5 cannot be applied to quasi-judicial bodies (Para 65). The discretionary power to adjust the period of limitation itself, must be specifically granted to the concerned quasi-judicial body or tribunal and there must be a reasonable indication from the language of the statute that such a discretion which is otherwise vested in civil courts, is also vested in the concerned quasi-judicial body. (Para 90)The argument that the principles underlying Sections 6 or 14 of the Act, 1963 respectively, could be applied to quasi-judicial bodies is not sufficient reason to hold the same insofar as Section 5 of the Act, 1963 is concerned. (Para 93)

Inherent Powers- Although the exercise of inherent powers are in addition to the powers specifically conferred on the concerned body or institution, yet such an exercise of power must be complementary to and not be in conflict with any express provision or be contrary to the intention of the legislature. It is only when a provision is silent as regards some procedural aspect that the inherent power can come to the aid of the parties. One must be careful in ascertaining when there is an unintentional silence and when there exists a deliberate omission. (Para 100)

Limitation Act 1963 - Section 29(2)- The question whether a certain provision in a special or a local law expressly excludes the provisions of Sections 4 to 24 of the Act, 1963 respectively arises only in pursuance of the savings provision under Section 29(2) of the Act, 1963. As a natural corollary, if Section 29(2) is, by itself, inapplicable to a particular case then there would be no need to look into or analyse whether there is any express exclusion. (Para 100)

Regenta Hotels Private Limited v. Hotel Grand Centre Point - 2026 INSC 32 - Ss.9,21 Arbitration Act

Arbitration and Conciliation Act 1996 - Section

9,11,21- The commencement of arbitral proceedings is a statutory event defined exclusively under Section 21, wherein the respondent's receipt of a request to refer the dispute to arbitration sets the arbitral proceedings in motion and no judicial application i.e. whether under Section 9 or Section 11 petition, constitutes commencement. Therefore, the statutory consequences tied to commencement, including the mandate under Section 9(2), must be assessed solely with reference to the date of receipt of request invoking arbitration under Section 21.

(Para 23) Arbitration (Proceedings Before the Courts) Rules, 2001-Rule 9(4) -Section 9 does not provide for the consequences of non-compliance with its mandate of commencing arbitral proceedings within ninety days, however, the said vacuum stands statutorily filled through Rule 9(4) - The expression “initiated” has necessarily to be read as “commenced” within the meaning of Section 21 -Upon failure to commence arbitral proceedings within three months, the period stipulated under Rule 9(4) attracts

the consequence as provided therein, namely, the interim order shall stand vacated automatically. (Para 27)

Arbitration and Conciliation Act 1996 - Section

9- In absence of any other provision providing for the date of commencement of the arbitral proceedings, Section 21 is to be construed to apply to all the provisions of the Act unless specifically provided as not applicable. The only exception that is carved out in Section 21 pertains to the arbitral agreement itself, providing that unless otherwise agreed by the parties, the date of commencement of arbitral proceedings must be from the date when notice or request invoking arbitration is received by the respondent. (Para 24)

Words and Phrases - The term “initiation” connotes the act of causing something to begin or taking the first step towards beginning a process, whereas “commencement” denotes the actual beginning of the process itself, which is a step further than mere initiation. Thus, linguistically, initiation precedes

commencement. [In this case, SC held that for the purposes of Rule 9(4), the expression “initiated” has necessarily to be read as “commenced” within the meaning of Section 21 of the Act]

Karnataka Lokayuktha Bagalkote District, Bagalkot vs Chandrashekhar 2026 INSC 31 - Criminal Case - Disciplinary Proceedings

Criminal Case - Disciplinary proceedings and criminal prosecution, even on an identical allegation, are parallel proceedings (Para 1) - Exoneration in the departmental proceeding ipso facto would not result in the quashing of the criminal prosecution. (Para 12) [While restoring criminal proceedings, SC observed: we are not convinced that this is a fit case where the criminal proceedings can be quashed on the exoneration of the delinquent employee in a departmental enquiry.]

Disciplinary Proceedings - The enquiry report in disciplinary proceedings is not conclusive of the guilt or otherwise of the delinquent employee, which finding is in the exclusive domain of the disciplinary authority. The enquiry officer is appointed only as a convenient measure to bring on record the allegations against the

delinquent employee and the proof thereof and to ensure an opportunity to the delinquent employee to contest and defend the same by cross-examination of the witnesses proffered by the department and even production of further evidence, in defense. The enquiry officer, strictly speaking, merely records the evidence and the finding entered on the basis of the evidence led at the enquiry does not have any bearing on the final decision of the disciplinary authority. The disciplinary authority takes the ultimate call as to whether to concur with the findings of the enquiry authority or to differ therefrom. On a decision being taken to differ from the findings in the enquiry report as to the guilt of the delinquent employee, if it is in favour of the delinquent employee nothing more needs to be done since the enquiry stands closed exonerating the employee of the charges levelled. If the decision is to concur with the finding of guilt by the Enquiry Officer, then a show-cause is issued with the copy of the Enquiry Report. However, while differing from the finding of exoneration in the enquiry report, necessarily the disciplinary authority will not only have to issue a show-cause against the delinquent employee, with a copy of the Enquiry Report, but the show-cause notice also has to specifically bring to attention of the delinquent, the aspects on which the disciplinary authority proposes to differ, based on the facts discovered in the enquiry so as to afford the delinquent

employee an opportunity to proffer his defense to the same. (Para 14)

Prasanna Kasini v. State of Telangana 2026 INSC 30 - CrPC - Transfer

Code of Criminal Procedure 1973 - Transfer -
Cannot lightly find a bias on the Judge merely because the relative of a party is a Head Constable working in a Police Station coming within the jurisdiction of the Court and/or another relative is working in the District Court itself. (Para 8)

S. Shakul Hameed v. Tamil Nadu State Transport Corporation Ltd.; 2026 INSC 29 - Motor Accident Compensation

Motor Accident Compensation - Motor Vehicles Act - In this case, averments in claim petition itself indicates that the accident occurred because of the rash and negligent manner in which the bus of the Corporation was being driven- SC held: Though Section 163A of the MV Act was mentioned in the application, the claim is one under Section 166 of the MV Act.

Shalini Bhateja vs State of U.P. 2026 INSC 28

Note: No legal aspects discussed in this judgment

S. Nagesh v. Shobha S. Aradhya; 2026 INSC 27 - NI Act - Delay Condonation - Taking Cognizance

Negotiable Instruments Act 1881 - Section 138, 142 - The power conferred upon the Court to take cognisance of a belated complaint is subject to the complainant first satisfying the Court that he had sufficient cause for not making the complaint within time. The satisfaction in that regard, resulting in condonation of the delay, must therefore precede the act of taking cognizance. (Para 14) [SC held that Magistrate erred in taking cognisance of the complaint under Section 138 of the NI Act, even before the delay of two days in its presentation was condoned.]

Practice and Procedure - Limitation - Ordinarily, a proceeding instituted with limitation-linked delay before a Court of law does not actually figure as a regular matter on its file until that delay is condoned. Order XLI Rules 3A and 5(3) of the Code of Civil Procedure, 1908, make this position amply clear in the context of belated presentation of civil appeals. (Para 14)

Divjot Sekhon v. State of Punjab and Others; 2026 INSC 26 - MBBS Admission - Policy Decision- Judicial Review

Education - Admission Process - 'Rules of the game cannot be altered once the game has begun' Principle applicable to admission processes to educational courses as it would be to recruitment processes. Just as modification of recruitment norms is forbidden in law after the recruitment process has begun, it is equally illegal for an admission process to not be fully defined in all its contours before its commencement, so as to leave room for the authorities concerned to stipulate norms later on to suit their own interests or to permit nepotism. The transparency of such a process is paramount to ensure fairness and prevent arbitrariness. (Para 18) When a thing is done in a post-haste manner, malafides would be presumed as anything done with undue haste can be termed arbitrary and would not be condonable in law. The aforesated principle would apply with equal vigour to an admission process relating to sought-after courses like MBBS/BDS. (Para 31)

Constitution of India - Article 226,32 - Judicial Review- Policy Decision - When a policy decision is riddled with arbitrariness or even provides avenues therefor, the Court would be justified in nullifying it. The fact that a policymaker is to be allowed some elbow room in formulating policy does not translate to allowing scope for arbitrariness or nepotism. (Para 37)

State and its instrumentalities have a duty and responsibility to act fairly and reasonably in terms of the mandate of Article 14 of the Constitution and that any decision taken by the State must be reasoned and not arbitrary. (Para 31)

State (NCT of Delhi) v. Khimji Bhai Jadeja; 2026 INSC 25 - CrPC/BNSS - Triple Tests - Same Transaction - Consolidation Of FIRs

Code of Criminal Procedure 1973 - Section 218-223 -Section 218(1) CrPC requires a distinct and separate charge for every distinct offence and each such separate charge should be tried separately. Sections 219 to 223 CrPC constitute exceptions to this general rule and stipulate the circumstances in which deviation therefrom can be made. Under Section 219 CrPC, three such offences committed during a year can be the subject matter of a single trial [now, five such offences, under Section 242 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS)]. Under Sections 220(1) CrPC and 223(a) and (d) CrPC, consolidated charges can be framed against several accused persons in relation to several offences, if such offences are committed during the course of the same transaction. It would, therefore, turn upon the offences forming part of the ‘same transaction’ - Triple tests, though not to be applied cumulatively, to decide when separate actions can be treated as part of the ‘same transaction’ – 1) unity of

purpose and design; 2) proximity of time and place; and 3) continuity of action. These tests may be applied to ascertain whether a series of acts form part of the same transaction or not - If it is opined that all the incidents partake of the same transaction, there can be one trial under Section 220(1) CrPC and Section 223(a) and (d) CrPC. If, however, it is concluded that there are several transactions and distinct offences in relation to different victims, there have to be separate trials for each offence, subject to Section 219 CrPC/ Section 242 BNSS, which allows the Trial Court to try three/five offences of the same kind committed within a year. Once all the incidents are taken to be part of the same transaction and amalgamated into one FIR, the punishment would follow accordingly as per law. (Para 19-20)

FIRs - Consolidation of FIRs is permissible in law but that would have also depended upon the conclusions to be arrived at after the investigation. (Para 21)

Abhay Kumar Patel v. State of Bihar; 2026 INSC 24 - Public Employment - Recruitment - Retrospective Amendment Of Rules

Constitution of India: Article 309 - Bihar Engineering Services Class-II Recruitment Rules, 2019 - The issuance of the 2022 Amendment

Rules, introducing Rule 8(5) with retrospective effect from 06.03.2019, attempts to rewrite the rules of the game which has already begun. By reducing the 25 weightage of the written examination to 75 marks and introducing 25 marks for contractual experience, the State has fundamentally altered the basis of selection and changed the ‘eligibility criteria for being placed in the merit list’ which is not permissible-While the State undoubtedly has the power to amend rules under the proviso to Article 309 of the Constitution of India, this power is not unbridled. The power of retrospective legislation cannot be exercised to take away vested rights or to arbitrarily disrupt a selection process that has already resulted in the identification of successful candidates by publication of a provisional merit list -Once a candidate has cleared the written examination and found a place in the merit list based on the announced criteria in line with the extant Rules and the advertisement, a legitimate expectation arises that the selection will be finalized based on the criteria which was advertised at the time of initiation of the

recruitment process- The State cannot rely on executive instructions to override statutory rules that were in force during the initiation of the recruitment process, especially to the detriment of candidates who had no notice of such weightage or age relaxation. (Para 39) Even assuming that the 2022 Amendment Rules are policy decisions of the State, they cannot be implemented in a manner that violates the fundamental right to equality under Article 14 and 16 of the Constitution of India by changing the selection criteria after the selection process has already begun. (Para 31-41)

Public Employment -Recruitment -Participation in a recruitment process or mere placement on the merit list does not create an indefeasible right to appointment- However, changing the eligibility criteria for placement in the merit list, after conclusion of the written examination for that purpose, contrary to the extant rules prevalent at the time of the advertisement, cannot be justified on this basis. (Para 40)

Jaswinder Singh @ Shinder Singh v. State of Punjab; 2026 INSC 23

Note - No legal aspects discussed in this judgment - Appellant acquitted- no incriminating circumstance against him but for a vague statement of the appellant having driven the vehicle and the involvement in the crime proper omitted to be stated to the police and for the first time stated before Court.

Golden Food Products India v. State of Uttar Pradesh 2026 INSC 22 - Auction - Expectation of Higher Bid

Tender -Auction - An auction process has a sanctity attached to it and only for valid reasons that the highest bid can be discarded in an auction which is otherwise held in accordance with law. If a valid bid has been made which is above the reserve price, there should be a rationale or reason for not accepting it. Therefore, the

decision to discard the highest bid must have a nexus to the rationale or the reason. Merely because the authority conducting the auction expected a higher bid than what the highest bidder had bid cannot be a reason to discard the highest bid. (Para 32) Expectation of a higher bid in a subsequent auction cannot be a reason to cancel an auction held in accordance with law. (Para 28)

Dalsukhbhai Bachubhai Satasia v. State of Gujarat & Others; 2026 INSC 21 - Urban Land (Ceiling and Regulation) Act

Urban Land (Ceiling and Regulation) Act, 1976-
The requirement of issuance of notice under Section 10(5) is mandatory and must be issued to the person(s) actually in possession of the concerned land. (Para 18) - The land ‘vesting’ with the State Government does not connote the transfer of possession. Rather, what is ‘deemed’ to have ‘vested’ are the aspects that have deemed i.e., by a legal fiction to have been ‘acquired’, i.e., title or interests. Possession, as explained in Hari

Ram vests de jure and not de facto. ‘Acquisition’ (of title or interests) does not necessarily involve the transfer of such de facto possession. Such transfer requires certain explicit steps to be taken after de jure possession is vested, there are three methods by which de facto possession may be transferred: the first is voluntary transfer by the possessor under Section 10(3) of the ULC Act. If possession is not voluntarily transferred, then the second method is through delivery of notice under Section 10(5) of 29 the ULC Act to the possessor. In case possession is still not transferred, then the third method involves the Competent Authority taking possession under Section 10(6) of the ULC Act (by force, if required) and delivering it to the State Government.
(Para 17)

Guru Pada Bera Vs Binod Kumar 2026 INSC 20

Note- No legal aspects discussed in this judgment - While disposing contempt petition, liberty granted to the petitioners to submit a fresh representation before the

Secretary, School Education Department, within a period of six weeks from today, setting out their entire grievances/ claims/entitlements in terms of the order passed by the High Court.

Commissioner of Customs (Import) v. Welkin Foods; 2026 INSC 19 -Common Or Trade Parlance Test

Taxation Laws -The application of the common or trade parlance test while dealing with classification disputes

a. The common or trade parlance test must be applied restrictively. Its function is limited to ascertaining the common or commercial meaning of a term found within a tariff heading or its defining criterion.

b. The trade or common parlance test can be invoked when dealing with a classification dispute only when the following conditions are satisfied.

i. The governing statute, including the relevant tariff heading, Section Notes, Chapter Notes, or HSN Explanatory Notes, does not provide any explicit definition or clear criteria for determining the meaning

and scope of the tariff item in question. ii. The tariff heading does not include scientific or technical terms, or the words used in the heading are not employed in a specialised, technical context. iii. The application of the common parlance test must not contradict or run counter to the overall statutory framework and the contextual manner in which the term was used by the legislature. Thus, broadly speaking, the common or trade parlance test cannot be invoked where the statute, either explicitly or implicitly, provides definitive guidance. Explicit statutory guidance exists where the legislature provides a specific definition or a clear criterion for a term within the Act itself. Conversely, implicit guidance is found where the terms employed are scientific or technical in nature, or where the statutory context indicates that the words must be construed in a technical sense. It is only in a state of statutory silence, where the legislative intent remains unexpressed, that the tribunals or courts may resort to the common or trade parlance test. c. In the contemporary HSN-based classification regime, the common or trade parlance test

cannot serve as a measure of first resort. It should only be employed after a thorough review of all relevant material confirms the absence of statutory guidance.

d. When interpreting terms in a tariff item by relying on the basis of common or trade parlance, an overly simplified approach should be avoided, and the words should be understood within their legal context. Further, when a party asserts a meaning of a term based on common or trade parlance, it must present satisfactory evidence to support that claim.

e. When a tariff item is general in nature and does not indicate a particular industry or trade circle, the common parlance understanding of that term is appropriate. However, when a tariff item is specific to a particular industry, the term must be understood as it is used within that specific trade circle.

f. The common or trade parlance test cannot be used to override the clear mandate of the statute. Specifically:

- i. The test cannot be applied in a way that results in the reclassification of a good that is clearly identifiable under a particular heading according to the statute, simply because that good is marketed or

called by a different name in trade or common parlance.

ii. Conversely, the test cannot be used to challenge the classification of goods under a statutory heading if those goods retain the essential characteristics defined by that heading, even if they have a unique or specialised trade name. In other words, the character and nature of the product cannot be veiled behind a charade of terminology which is used to market the product or refer to it in common or commercial circles. g. To establish a separate commercial identity, it is essential to demonstrate that the good has undergone such a substantial transformation that it can no longer be characterised as a mere sub-type or category of a broader class and thus falls outside the ambit of the common or commercial understanding associated with such a class of goods.(Para 66) [SC held that the ‘mushroom growing apparatus’ is not classified as ‘machinery’ and further, that the subject goods are ‘structures’ rather than ‘parts’ of machinery.]

IFGL Refractories Ltd. v. Orissa State Financial Corporation .; 2026 INSC 18 - Art.14 Constitution - Arbitrariness -Promissory Estoppel -Bureaucratic Lethargy-

Constitution of India - Article 14 - Arbitrariness-

The State must abandon the colonial conception of itself as a sovereign dispensing benefits at its absolute discretion. Policies formulated and representations made by the State generate legitimate expectations that it will act in accordance with what it proclaims in the public domain. In the exercise of all its functions, the State is bound to act fairly and transparently, consistent with the constitutional guarantee against arbitrariness enshrined in Article 14 of the Constitution of India. Any curtailment or deprivation of the entitlements of private citizens or private business must be proportional to a requirement grounded in public interest. (Para 134)

Legal Doctrines -Promissory estoppel- The true principle of promissory estoppel seemed to be that where one party has, by his words or conduct, made to

the other a clear and unequivocal promise which is intended to create legal relations or effect a legal relationship to arise in the future, knowing or intending that it would be acted upon by the other party to whom the promise is made. Where it is in fact so acted upon by the other party, the promise would be binding on the party making it, and he would not be entitled to go back upon it, if it would be inequitable to allow him to do so, having regard to the dealings which have taken place between the parties. This would be so irrespective of whether there is any pre-existing relationship between the parties or not. (Para 115)

Bureaucratic lethargy- If the object of formulating the industrial policy is to encourage investment, employment and growth, the bureaucratic lethargy of the State apparatus is clearly a factor which will discourage entrepreneurship. (Para 133)

Kadirkhan Ahmedkhan Pathan v. Maharashtra State Warehousing Corporation 2026 INSC 16 - Maharashtra Civil Services (Pension) Rules - Disciplinary Proceedings

Maharashtra Civil Services (Pension) Rules, 1982 -Rule 27(2)(b)(i) - The requirement of sanction from the Government prior to institution of departmental enquiry is mandatory in nature for each case. Such mandatory safeguard is intended to prevent institution of unwarranted proceedings against the superannuated employees. Therefore, such mandate cannot be diluted or by-passed by the Corporation under the pretext of general sanction or general practice.

Union of India v. G. Kiran 2026 INSC 15. Reservation - UPSC Rules

Reservation- Rules for a competitive examination to be held by the Union Public Service Commission in 2013 - Once relaxation has been taken by a reserved category candidate, they cannot be considered for unreserved vacancies. If a reserved category candidate takes benefit of relaxation

though at initial stage, it will effectively amount to taking relaxation even at the final stage of the selection process because without giving relaxation to him, he was not in a position to participate in the Main examination and to set forth his claim of cadre allocation. (Para 32) A reserved category candidate selected applying ‘General Standard’ has eligibility for allocation on unreserved vacancy as per his merit and preference if he is not lower in rank from other General category candidates, otherwise he shall be considered for allocation as per his merit and preference against the available vacancy of his category. In the said context, it is clear that for allocation of unreserved vacancy to a candidate of reserved category, the selection must be on ‘General Standard’ without availing any ‘Relaxed Standard’ in either eligibility or selection criteria. In case any ‘Relaxed Standard’ has been availed by him, his allocation of cadre would be as per his merit and preference against vacancy of his category. (Para 24)

UV ARC v. Electrosteel Castings 2026 INSC 14 and 17- Contract Act - 'See To It' Guarantee

Indian Contract Act 1872 - Section 126- ‘See to it’ guarantee in English Common Law refers to an obligation upon the guarantor to ensure that principal debtor itself, performs its own obligation and the guarantor, therefore, is in breach as soon as principal debtor fails to perform. However, a ‘See to it’ guarantee does not include an obligation to enable the principal debtor to perform its own obligation. Such an arrangement would not be a guarantee under Section 126 of the Act.(Para 22)

Indian Contract Act 1872 - Section 126- For an obligation to be construed as a guarantee under Section 126 of the Act, there must be a direct and unambiguous obligation of the surety to discharge the obligation of the principal debtor to the creditor - An undertaking to infuse funds into a borrower, so that it may meet its obligations cannot, by itself be equated with the promise to discharge the borrower’s liability to the creditor. A mere Covenant to ensure financial discipline or infusion of funds does not satisfy the statutory requirements of Section 126 of the Act. (Para 20)

Indian Contract Act 1872 - Section 126 - Essential ingredients of a guarantee: (a) existence of principal debt, (b) default by the principal debtor and (c) a

promise by the surety to discharge the liability of the principal debtor upon such default. Thus, a guarantee is a promise to answer for the payment of some debt, or the performance of some duty, in case of failure of another party, who is in the first instance, liable to such payment or performance . A guarantee is a security in the form of right of action against a third party. In order to constitute a guarantee there has to be a specific undertaking or unambiguous affirmation to discharge the liability of a third person in case of their default. A guarantee is governed by principles of construction generally governing other documents. A guarantee being a mercantile contract, the Court does not apply to it merely technical rules but construes it so as to reflect what may fairly be inferred to have been the parties' real intention and understanding as expressed by them in writing and to give effect to it rather than not. (Para 17-18)

Pleadings - Pleadings must be read as a whole and cannot be read selectively out of context or in isolation. (Para 24)

Pratima Das v. State of Himachal Pradesh 2026 INSC 13

Summary - No legal aspects discussed in the judgment - MB University directed to issue the marksheets of 5th to 10th semester, the degree and any other relevant

documents, if any, to the Appellant within four weeks from today

Arvind Dham v. Directorate of Enforcement 2026 INSC 12 - PMLA - Bail - Delayed Trial

Constitution of India - Article 21 ; Prevention of Money Laundering Act, 2002 - Section 45 - If the State or any prosecuting agency including, the court, concerned has no wherewithal to provide or protect the fundamental right of an accused, to have a speedy trial as enshrined under Article 21 of the Constitution, then the State or any other prosecuting agency should not oppose the plea for bail on the ground that the crime committed is serious. Article 21 of the Constitution applies irrespective of the nature of the crime - Under the statutes such as PMLA, where maximum sentence is seven years, prolonged incarceration pending trial may warrant grant of bail by Constitutional Courts, if there is no likelihood of the trial concluding within a reasonable time. Statutory restrictions cannot be permitted to result in indefinite pretrial detention in violation of Article 21. Prolonged incarceration cannot be allowed to convert pretrial detention into punishment and that documentary evidence already seized by the prosecution eliminates the possibility of tampering with the same. The right to speedy trial, enshrined under Article 21 of the Constitution, is not eclipsed by the nature of the offence. (Para 16-18)

Bail - Gravity of Offence - The court while dealing with the prayer for grant of bail has to consider gravity of offence, which has to be ascertained in the facts and circumstances of each case. One of the circumstances to consider the gravity of offences is also the term of sentence i.e., prescribed for the offence, the accused is alleged to have committed . The court has also to take into account the object of the special Act, the gravity of offence and the attending circumstances along with period of sentence. (Para 15)

Bail - Economic Offences- All economic offences cannot be classified into one group as it may involve various activities and may differ from one case to another. Therefore, it is not advisable on the part of the Court to categorize all the offences into one group and deny bail on that basis . (Para 15)

Subhash Aggarwal v. Mahender Pal Chhabra 2026 INSC 11 - Specific Relief Act - Equity

Specific Relief Act 1963 - There is no straitjacket formula with regard to 'readiness and willingness'. The same has to be construed with respect to the facts and circumstances of each case. (Para 6)

Legal Doctrines - Equity - Equity must operate in a manner that prevents unjust enrichment and restores

the parties to their original position, as far as possible particularly where both the parties are at fault. (Para 7)

Dharmendra Sharma v. M. Arunmozhi 2026 INSC 10 - Contempt

Note: This judgment does not discuss any legal aspects

Panganti Vijaya v. United India Insurance Co. Ltd., 2026 INSC 9 - Workman's Compensation Act

Workman's Compensation Act, 1923 - No legal aspects discussed- The Supreme Court restored the Workmen's Compensation award to appellant, holding that deceased driver was employed by the vehicle owner and died in the course of employment. It set aside the High Court's reversal, noting the owner's later sworn admission and directed release of the deposited compensation with 12% interest. (Para 3.3)

NAK Engineering Company Pvt. Ltd. v. Tarun Keshrichand Shah and Ors 2026 INSC 8 - CPC - Dominus Litis - Necessary & Proper Party

Code of Civil Procedure 1908 - Plaintiffs who have instituted the suit are dominus litis and it is for them to

choose their adversaries. If they do not array the proper and necessary parties to the suit, they do it at their own risk. However, they cannot be compelled to add a party to defend a suit against their wishes. The decree, if any, passed in the suit would be binding only between the parties to the suit and would not infringe upon any right of a third party - A necessary party is one without whom, no order can be made effectively, a proper party is one in whose absence an effective order can be made but whose presence is necessary for a complete and final decision on the question involved in the proceeding. (Para 39-40)

Nirbhay Singh Suliya vs State of Madhya Pradesh 2026 INSC 7 - Judiciary - Disciplinary Proceedings - Wrong Order

Disciplinary Proceedings - Judiciary - Only because an order is wrong or there is an error of judgment, without anything more, a judicial officer is not put through the ordeal of a disciplinary proceeding or a prosecution. (Para 29) It is not the correctness of the verdict but the conduct of the Officer in question which is determinative. (Para 34) Disciplinary Authority has to examine whether there has emerged from the record, one or more circumstances that indicate that the decision which forms the basis of the charge of misconduct was not an honest exercise of judicial power. (Para 36) That merely because a different conclusion

was possible is not an indicium for misconduct. (Para 39)

Judiciary - Judges - A fearless judge is the bedrock of an independent judiciary, as much as an independent judiciary itself is the foundation on which rule of law rests. A judicial Officer is tasked with the onerous duty of deciding cases. Invariably one party to the case would lose and go back unhappy. Disgruntled elements amongst them, wanting to settle scores may raise frivolous allegations. (Para 27)

[Bhadra International \(India\) Pvt. Ltd. vs Airports Authority of India 2026 INSC 6 - Arbitration - Ineligibility](#)

Arbitration and Conciliation Act 1996- Section 12(5)- The ineligibility of an arbitrator can be waived only by an express agreement in writing. The requirement of the waiver to be made expressly in the form of agreement in writing ensures that parties are not divested of their right to object inadvertently or by procedural happenstance. (Para 89-90) A notice invoking the arbitration clause under Section 21, a procedural order, submission of statement of claim, the filing an application seeking interim relief, or a reply to an application under Section 33 cannot be countenanced to mean “an express agreement in writing” within the meaning of the proviso to sub-section (5) of Section 12.

(Para 96) The arbitrator upon entering reference and at the very first hearing, to ensure from the parties that they are willing to participate in the proceedings and to insist upon a written agreement waiving the requirement of Section 12(5) (Para 121)

Arbitration and Conciliation Act 1996- Section 12(5)- A challenge to an arbitrator's ineligibility could be raised at any stage because an award passed in such circumstance is non-est, i.e., it carries no enforceability or recognition in law - When an arbitrator is found to be ineligible by virtue of Section 12(5) read with the Seventh Schedule, his mandate is automatically terminated. In such circumstance, an aggrieved party may approach the court under Section 14 read with Section 15 for appointment of a substitute arbitrator. Whereas, when an award has been passed by such an arbitrator, an aggrieved party may approach the court under Section 34 for setting aside the award. (Para 123-iv)

Arbitration and Conciliation Act 1996- Section 18 - The principle of 'equal treatment of the parties' means that the parties must have the possibility of participating in the constitution of the arbitral tribunal on equal terms -Equal participation of the parties in the process of appointment of arbitrators entails that the contracting parties have an equal say in the constitution of the arbitral tribunal. Such participation eliminates the likelihood of challenges to the arbitrator at a later stage.

It is needless to say that independence and impartiality in arbitral proceedings would be served only when the parties participate equally at all stages - The principle of party autonomy does not obliterate the principle of equal treatment of the parties, either in the procedure for appointment of arbitrators or in the arbitral proceedings. The exercise of party autonomy has to be in consonance with the principles of equal treatment of parties, which impliedly include the independence and impartiality of arbitrators. (Para 32-39)

Arbitration Law - In the absence of any contrary stipulation in the agreement, arbitral proceedings commence when a notice invoking arbitration is received by the respondent. (Para 49)

Arbitration Act - Section 21 - The notice under Section 21 is an expression to set the arbitration agreement into motion upon arising of disputes between the parties. The section states that the date of commencement of arbitration would be the date on which the recipient receives the notice from the claimant that the dispute be referred to arbitration. The notice acts as a communication that the sender is aggrieved and seeks to invoke the arbitration agreement. It does not, by itself, operate as consent to any appointment to be made in the future. (Para 70)

Motilal Oswal Financial Service Limited vs Santosh Cordeiro 2026 INSC 5 - Arbitration Act

Arbitration and Conciliation Act 1996 - Section 11

11 - In a proceeding under Section 11, the Court is to confine the examination to the existence of an Arbitration Agreement - The jurisdiction is only to inspect or scrutinize the dealings between the parties for determination about the existence of an Arbitration Agreement and not to launch a laborious or a contested inquiry. (Para 15-17)

Arbitration and Conciliation Act 1996 - Creation of a specific forum as a substitute for Civil Court or specifying the Civil Court may not be enough to accept the inference of implicit non-arbitrability. Conferment of jurisdiction on a specific court or creation of a public forum though eminently significant, may not be the decisive test to answer and decide whether arbitrability is impliedly barred. (Para 21)

Presidency Small Cause Courts Act, 1882

-Section 41- Section 41 is a provision conferring jurisdiction on the Small Causes Court for certain types of disputes and cannot be interpreted to mean that ex proprio vigore (by its own force), it neutralizes arbitration clauses in agreements (Para 21)

Bhagheeratha Engineering Ltd vs State of Kerala 2026 INSC 4 -Arbitration Act

Arbitration and Conciliation Act - Section 21- The object is only for the purpose of commencement of arbitral proceedings is also well settled. Section 21 is concerned only with determining the commencement of the dispute for the purpose of reckoning limitation. There is no mandatory prerequisite for issuance of a Section 21 notice prior to the commencement of Arbitration. Issuance of a Section 21 notice may come to the aid of parties and the arbitrator in determining the limitation for the claim. Failure to issue a Section 21 notice would not be fatal to a party in Arbitration if the claim is otherwise valid and the disputes arbitrable. (Para 16)

Arbitration and Conciliation Act - Section 23 - Once the Arbitral Tribunal is constituted claims, defence and, counter claims are filed. Party which normally files the claim first is, for convenience, referred to as the 'claimant' and the party which responds is called the Page 40 of 41 'respondent'. The said respondent is also along with the defence statement entitled to file its counter claim. Hence, to contend that the appellant cannot be referred to as a claimant because no notice under Section 21 has been issued is completely untenable. (Para 20)

Arbitration and Conciliation Act - Section 7- Arbitration Agreement - If an arbitration agreement provides that all disputes between the parties relating to the contract shall be referred to arbitration, the

reference contemplated is the act of parties to the arbitration agreement. (Para 18)

Anjani Singh v. State of Uttar Pradesh 2026 INSC 3 - IPC - Murder Case -Acquittal

Indian Penal Code 1860 - Murder Case - The Supreme Court set aside appellant conviction, extending benefit of doubt due to unreliable sole eyewitness testimony and inconsistencies in forensic and witness evidence. With other eyewitnesses turning hostile and lighting conditions disputed, the Court held the prosecution failed to prove the case beyond reasonable doubt.

Gulfisha Fatima vs State (Govt. of NCT of Delhi) 2025 INSC 2- Delhi Riots Cases -UAPA - Terrorist Acts- Bail

UAPA - Section 43D(5) - Propositions governing the application of Section 43D(5) -First, the provision embodies a deliberate legislative departure from ordinary bail jurisprudence, premised upon the distinctive nature of offences under Chapters IV and VI of the Act. Second, the expression “prima facie true” mandates a threshold judicial inquiry which is neither perfunctory nor adjudicatory, requiring the Court to examine whether the prosecution material, taken at face

value, discloses the essential statutory ingredients of the alleged offence. Third, the inquiry is necessarily accused specific, directed to the role and attribution qua the individual, and does not admit of collective or undifferentiated treatment merely because allegations arise from a common transaction or conspiracy. Fourth, the bail stage under Section 43D(5) is not a forum for evaluating defences, weighing evidence, or conducting a minitrial; judicial restraint at this stage is not an abdication of duty but a fulfilment of the statutory mandate. These propositions, read together, define the contours of judicial power and responsibility under the provision. The correct application of Section 43D(5), therefore, requires the Court to undertake a structured inquiry confined to the following: i. whether the prosecution material, accepted as it stands, discloses a *prima facie* case satisfying the statutory ingredients of the offence alleged; ii. whether the role attributed to the accused reflects a real and meaningful nexus to the unlawful activity or terrorist activity proscribed under the Act, as distinguished from mere association or peripheral presence; and iii. whether the statutory threshold is crossed qua the individual accused, without embarking upon an assessment reserved after fullfledged trial - Where these requirements are met, the statutory restraint on the grant of bail must operate with full force; where they are not, the embargo stands lifted. This approach preserves the legislative purpose of the Act, and ensures that the exceptional nature of the bail

regime under Section 43D(5) is neither diluted by overreach nor distorted by mechanical application. (Para 81-82)

UAPA - Section 15 - “Terrorist act”- The means by which such acts may be committed are not confined to the use of bombs, explosives, firearms, or other conventional weapons alone - To construe Section 15 as limited only to conventional modes of violence would be to unduly narrow the provision, contrary to its plain language - Apart from death or destruction of property, the provision expressly encompasses acts which disrupt supplies or services essential to the life of the community, as well as acts which threaten the economic security of the nation. This reflects Parliament’s recognition that threats to sovereignty and security may arise through conduct that destabilises civic life or societal functioning, even in the absence of immediate physical violence - terrorist activity may involve multiple actors performing different roles towards a common unlawful objective. (Para 86-90)

Constitution of India - Article 21 ; UAPA - Section 43D - In prosecutions alleging offences which implicate the sovereignty, integrity, or security of the State, delay does not operate as a trump card that automatically displaces statutory restraint. Rather, delay serves as a trigger for heightened judicial scrutiny. The outcome of such scrutiny must be determined by a proportional and contextual balancing of legally relevant

considerations, including (i) the gravity and statutory character of the offence alleged, (ii) the role attributed to the accused within the alleged design or conspiracy, (iii) the strength of the *prima facie* case as it emerges at the limited threshold contemplated under the special statute, and (iv) the extent to which continued incarceration, viewed cumulatively in the facts of the case, has become demonstrably disproportionate so as to offend the guarantee of personal liberty under Article 21- Thus, when the composite evaluation yields a clear conclusion that continued detention has crossed the bounds of constitutional permissibility that the Court may justifiably intervene notwithstanding statutory restrictions. (Para 56-57)

UAPA - Section 43D(5) - The law does not require the prosecution to demonstrate, at the bail stage, that the accused personally caused death or destruction, or personally stocked explosives, before Section 43D(5) can apply. It requires the Court to see whether the material discloses a *prima facie* case of involvement in the unlawful activity alleged. (Para 216)

UAPA - Not every disruption of traffic, not every blockade, and not every law-and-order incident engages the statutory framework of the UAPA. The statute is attracted only where the conduct alleged, taken cumulatively, is capable of being understood as threatening the unity, integrity, security, or sovereignty

of the nation, or as creating a climate of fear and paralysis transcending ordinary disorder. (Para 227)

UAPA- Gender, while not conferring immunity from criminal law, remains a relevant consideration in determining the necessity of continued pre-trial detention. - The law does not envisage incarceration as a measure of deterrence at the pre-trial stage, particularly where the individual concerned is a woman with no prior criminal antecedents and whose alleged actions stem from a ground-level facilitating role.

Factual Summary: Delhi Riots Case - Supreme Court declined bail to Sharjeel Imam and Umar Khalid for their alleged central, planning roles, but granted bail to Gulfisha Fatima, Meeran Haider, Shifa-ur-Rehman, Mohd. Saleem Khan, and Shadab Ahmed, whose roles were found operational and peripheral, subject to stringent conditions. The Court directed expedited trial, especially examination of protected witnesses, and allowed Imam and Khalid to renew bail after a year or completion of protected-witness testimony.

Adani Power Ltd. vs Union of India 2026 INSC 1 - Precedent - Delegated Legislation - Tax Levy

Law of Precedent - The discipline of precedent is not a matter of personal predilection; it is an institutional necessity - Legal Maxim - Stare decisis et non quieta movere - to stand by what is decided and not to disturb

what is settled, is a working rule which secures stability, predictability and respect for judicial outcomes. The law cannot change with the change of the Bench. When a coordinate Bench of a High Court has already determined a question of law, a subsequent Bench of equal strength is bound to follow that view; if it doubts its correctness, the only permissible course is to refer the matter to a larger Bench. (Para 78- 80)

Legal Maxim- *Stare decisis et non quieta movere* - to stand by what is decided and not to disturb what is settled, is a working rule which secures stability, predictability and respect for judicial outcomes. (Para 78) *Interest reipublicae ut sit finis litium* - It is in the public interest that there be an end to litigation would squarely apply; the State must exemplify obedience to judgments, not resistance to them. (Para 84)

Constitution of India - Article 32,226- Delegated legislation is subject to judicial review not only for substantive unreasonableness, but also for purpose. Where the dominant purpose for which a delegated power is conferred is departed from, and the power is pressed into service to achieve an end for which it was never granted, the exercise is ultra vires. The immunity of a fiscal notification from scrutiny is no greater than that of any other form of subordinate legislation. (Para 56)

Legislation - Taxation - A delegate cannot do indirectly what it has no authority to do directly. The

power to exempt is not a power to tax. The two stand on opposite constitutional planes. The essential legislative function of imposing a tax or duty rests with Parliament and must be located in a charging provision. The executive cannot, by subordinate instrument, enlarge the field of taxation under the pretext of tailoring an exemption. (Para 55)

Fiscal jurisprudence: a tax or duty can only be levied where there is (i) a clear charging provision enacted by competent legislature; (ii) an identifiable taxable event; and (iii) a statutory rate-making mechanism. The machinery provisions may regulate assessment and collection. Exemption notifications may relax or remit the levy. But neither machinery provisions nor exemption notifications can substitute for the absence of a charge. (Para 59)

Union of India v. Paresh Chandra Mondal - Provident Funds Act - Nominee

Provident Funds Act, 1925 - Indian Succession Act, 1925 - In cases of a valid nomination, the amount in the provident fund account of the deceased depositor or subscriber is required to be released to the nominee - The requirement to have a probate or letters of administration or succession certificate even in cases of valid nomination will invariably make the Government a party to litigation which should ideally only be between private parties - A nominee is a mere trustee to collect the funds and not the beneficial owner- The mere fact

that the amount is released to a valid nominee will not bar the objector(s) or holder(s) of probate or letters of administration or succession certificate from claiming their share from the amount released to the nominee from a competent court. (Para 14-15)

National Insurance Co. Ltd. v. Master Frewin Seby De Melo - Motor Accident Compensation- Contest By Insurance Company

Motor Accident Compensation - Motor Vehicles Act 1988- Section 149- Insurance Company when impleaded as a respondent in the claim petition has the right to contest the claim on all available grounds, without any restriction to grounds available under Section 149(2) of 8 the 1988 Act. [Context: The Supreme Court set aside the Bombay High Court's order and remitted the case to reconsider the quantum of compensation in a motor accident claim where the deceased seaman's minor son was the claimant.]

Bharat Pathania v. State of Himachal Pradesh - Criminal Cases Quashed - Husband Undertaking

Indian Penal Code 1860 - Sections 307, 323, 324, 452, 504, 506 - SC quashed criminal proceedings by invoking Article 142 powers by recording written undertaking that accused will look after his wife and

child “nicely” and “not harm them in any manner whatsoever” - The commission of an offence inevitably implicate broader societal ramifications and invite a response grounded in deterrence. However, the exercise of judicial discretion must be guided by the circumstances of the case. Where a lawful resolution ensures the welfare of the wife and the child, the continuation of criminal proceedings may not always advance the ends of justice. In such cases, bringing the proceedings to a close may serve both individual and societal interests by encouraging responsibility and stability. (Para 4-6)

Vijay Kumar v. State of Rajasthan - Criminal Trial Pending- Interim Orders

Criminal Trials - If criminal trials in such serious offences remain pending for years together on the strength of interim orders passed by the High Courts, it would lead to nothing but mockery of justice. Justice has to be done with all the parties. Justice cannot be done only with the accused persons. Justice has to be done even with the victim and the family members of the victim. Injustice anywhere is a threat to justice everywhere- Chief Justices of all the High Courts requested to ensure that the petitions wherein interim orders are passed holding up the trials should be immediately taken up for hearing, more particularly in

sensitive and serious matters like murder, dowry death, rape etc. (Para 29-30)

Context: Supreme Court of India dismissed SLP filed against High Court's rejection of their 2003 criminal revision against framing charges under IPC Sections 498A and 304B in a dowry death case. Disturbed by a 23-year delay during which an interim stay halted the trial, the Court ordered the Rajasthan High Court's Registrar General to send the full record and provide a year-wise breakup of criminal revision filings and disposals from 2001–2026, plus details of listings in this case. It also sought the State's explanation for inaction, urged Chief Justices to promptly hear matters where interim orders stall serious trials, and listed the case for further orders on 15-01-2026.

Sukhchain v. State of Madhya Pradesh - CrPC/BNSS -How To Consider Sentence Suspension Plea Of A Convict Sentenced To Fixed Period Of Sentence?

Code of Criminal Procedure 1973- Section 389 -
There are two types of sentences that the Trial Court can impose depending on the nature of the offence. Some orders of sentence are for a fixed term, unlike the order of sentence of life imprisonment-When a convicted person is sentenced to a fixed period of sentence and

when he files an appeal under any statutory right, suspension of sentence should be considered by the Appellate Court liberally unless there are exceptional circumstances.

Sri Lakshmi Balaji Enterprises & Anr. v. Angeethis Restaurant - Stamp Act - Bond - MoU

Indian Stamp Act - Section 2(5)- Bond - An instrument by which a person puts himself under an obligation to pay a sum of money to another on condition that the obligation shall be void if some specific act is, or is not, performed is a bond. The only question to pose is: Has the executant of the instrument put himself under an obligation, or bound himself, to pay a sum of money to another, the obligation to be void under specified circumstances? If the executant can be sued for that sum of money only upon the strength of the instrument, the instrument is a bond- Memorandum of Understanding (MOU) -MOU cannot be treated as Bond when it is signed by both the parties and not by one of the parties binding himself to pay the amount and making the said payment subject to fulfillment of some conditions- The contents of the documents would not attract clauses (a) to (c) of Section 2(5) so as to call it a Bond because the obligation to pay the money is not dependent on any condition and that the document is signed by both the parties making it an agreement - An instrument by which a person puts himself under an

obligation to pay a sum of money to another on condition that the obligation shall be void if some specific act is, or is not, performed is a bond. The only question to pose is: Has the executant of the instrument put himself under an obligation, or bound himself, to pay a sum of money to another, the obligation to be void under specified circumstances? If the executant can be sued for that sum of money only upon the strength of the instrument, the instrument is a bond.

Anwar Hussain v. State of Madhya Pradesh - Criminal Trial - Stock Witnesses Practice

Criminal Trial - Stock witnesses - Repeated use of the same witnesses in support of the police versions of alleged crimes- This practice goes to the very root of fairness and impartiality of investigation and could be termed anathema to a country governed by the rule of law.

Pradip @ Monu Arunkumar Chhotelal Tiwari v. State of Gujarat - SLP - Failure To Disclose All Material Facts

Constitution of India - Article 136 -When a petitioner approaches this Court for grant of relief, he/she/it is expected to do so with clean hands, disclosing all material facts. Failure to do so, would

amount to an abuse of the process of this Court.
[Context: In this case, SC noted that petitioner, who seeks bail, failed to disclose the past case dating back to the year 2020 - SLP dismissed]