

# **A.D.M. Jabalpur v. Shivkant Shukla (1976)**

Court: Supreme Court of India

Citation: AIR 1976 SC 1207; (1976) 2 SCC 521

Dataset Tag: Cases about personal liberty or government overreach

## **Facts:**

During the Emergency (1975-1977), thousands were detained without trial. Detainees sought habeas corpus, claiming detention orders were mala fide and violated personal liberty.

## **Issues:**

Whether courts could issue writs for release during Emergency when Article 21 was suspended.

## **Holding:**

By 4-1 majority, the Court held that during Emergency, detainees had no locus to challenge detention, as the right to life and liberty stood suspended.

## **Significance:**

Widely criticised; later overruled in 2017 (Puttaswamy). Illustrates dangers of unchecked executive power.