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- [District Magistrate's Powers Under SARFAESI Act Section 14 Are Ministerial and Not Adjudicatory](#) January 11, 2026

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- [Bail for S. 319 CrPC Accused](#) January 10, 2026

2026 SupremeCourtOnline 1004, Md Imran @ D.C. Guddu v. State of Jharkhand, #1415900 . SUPREME COURT OF INDIA Before:- J.B. Pardiwala and K.V. Viswanathan, JJ. MD IMRAN @ D.C. GUDDU – Appellant Versus The STATE OF JHARKHAND – Respondent Criminal Appeal No. 109 of 2026 (Arising out of Special Leave Petition (Crl) No. 12110 of 2025)... [Read more: Bail for S. 319 CrPC Accused](#)

- [Ratification of Power of Attorney Acts – Effect on Limitation – Specific Relief Act](#) January 9, 2026

Supreme Court allows specific performance suit holding that where defendant executed affidavit expressly ratifying acts performed by power of attorney holder and conveying no-objection to transfer of property, limitation commences from date of such affidavit, not from earlier dates. Court held theory that unregistered power of attorney automatically revoked upon execution of registered POA untenable when defendant herself affirmed validity of agreement executed under unregistered POA. Defendant's own conduct and subsequent ratification affidavit dated 30.04.2013 established fresh starting point for limitation. Suit instituted in 2013 held within limitation period. Readiness and willingness proved by payment of consideration and execution of partial sale deed by co-sharers. Defendant's failure to enter witness box to dispute affidavit or prove revocation held fatal. High Court's concurrent findings on limitation and readiness/willingness set aside as erroneous.

- [Stamp Act, S. 35, 47-A – A document once registered, the Registering Authority, ceases to have any control over the document and it becomes a functus officio the moment he loses the control over the document](#) January 8, 2026

Stamp Act, S. 35, 47-A – Document after registration was handed over to the petitioners – Document was never brought before any authority or officer by way of evidence, whereupon its admissibility in evidence could be called in question and consequently determination of the stamp duty in terms of Section 35 of the Indian Stamp... [Read more: Stamp Act, S. 35, 47-A – A document once registered, the Registering Authority, ceases to have any control over the document and it becomes a functus officio the moment he loses the control over the document](#)

- [Motor Vehicles Act, 1988 – Ss. 163A and 166 – Nature of claim – Application mentioning S. 163A but averments alleging rash and negligent driving](#) January 8, 2026
- 2026 SupremeCourtOnline 1003, #1414901 S.Shakul Hameed v. Tamil Nadu State

Transport Corporation Limited, (SC) T. SUPREME COURT OF INDIA Present: Justice Ahsanuddin Amanullah and Justice K. Vinod Chandran. S. SHAKUL HAMEED – Appellant Versus TAMIL NADU STATE TRANSPORT CORPORATION LIMITED – Respondent Civil Appeal No. 70 of 2026 (@ SLP (C) No. 7347 of 2024).... [Read more: Motor Vehicles Act, 1988 – Ss. 163A and 166 – Nature of claim – Application mentioning S. 163A but averments alleging rash and negligent driving](#)

- [Specific Performance Denied but Lump Sum Compensation Awarded](#) January 6, 2026
The Supreme Court upheld denial of specific performance after 17 years but modified the High Court order directing forfeiture of earnest money. Holding that both parties were at fault, the Court directed payment of Rs. 3 crores lump sum to appellant to prevent unjust enrichment and bring quietus to protracted litigation.
- [Prospective Operation of Amendment to CST Act S. 8\(5\)](#) January 5, 2026
The Supreme Court held that the amendment to Section 8(5) of the Central Sales Tax Act by Finance Act, 2002 is prospective in nature and cannot take away substantive rights already accrued under Eligibility and Entitlement Certificates issued prior to the amendment. State Government cannot demand exempted tax without first revoking such certificates after notice and hearing.
- [Sessions Court Cannot Direct Life Imprisonment Till End of Natural Life or Deny Set-off Under S. 428 Cr.P.C.](#) January 5, 2026
Court held that the Sessions Court is not competent to direct that life imprisonment shall be till the end of natural life, as such direction would be in conflict with the provisions of the Cr.P.C. The power to impose punishment of imprisonment for life without remission, as laid down in Swamy Shraddananda (2), was conferred only on the Constitutional Courts (Supreme Court and High Courts) and not on the Sessions Courts. The Court further held that the direction not to grant set-off under S. 428 Cr.P.C. cannot stand, as the statutory imprimatur mandates that period of detention during investigation, inquiry or trial shall be set-off against the term of imprisonment. The conviction under S. 302 IPC was confirmed based on dying declarations recorded by the Head Constable and Magistrate, despite close relatives turning hostile.
- [Tenders – Proportionate Joint Venture Experience Must Be Considered for Tender Eligibility](#) January 5, 2026
The Supreme Court held that a contractor who was a partner in a joint venture is entitled to claim proportionate experience of the joint venture for the purpose of meeting eligibility criteria in a tender. Where the NIT did not contain any specific or explicit exclusion of work experience gained as a member of a joint venture, the tendering authority's refusal to consider such experience was arbitrary and in breach of Art. 14. The Court emphasized that eligibility criteria must be clear and unambiguous, and while ordinarily courts defer to the interpretation of the tendering authority, such deference is not warranted where the interpretation is irrational or leads to arbitrary consequences.
- [Mutation Based on Will Permissible Under M.P. Land Revenue Code, 1959](#) January 5, 2026
2025 SupremeCourtOnline 0108 Tarachandra v. Bhawarlal, #1419801 Supreme Court of India Present: Justice Sanjay Karol and Justice Manoj Misra. TARACHANDRA – Appellant Versus BHAWARLAL & ANR. – Respondents Civil Appeal No. 15077 of 2025 (Arising out of SLP (C) No. 22439 of 2024) HEADNOTES (i) Madhya Pradesh Land

Revenue Code, 1959 (20 of 1959), Ss.... [Read more: Mutation Based on Will Permissible Under M.P. Land Revenue Code, 1959](#)

- [Landmark ruling on bail under UAPA S. 43D\(5\) – Differentiation between masterminds and facilitators – Accused-specific inquiry mandated – Prolonged incarceration not automatic ground for bail under special statutes](#) January 5, 2026

Download Full Judgment 2026 SupremeCourtOnline 1001 #1412901 SUPREME COURT OF INDIA Present: Justice Aravind Kumar and Justice N.V. Anjaria. GULFISHA FATIMA & ORS. – Appellant(s) Versus STATE (GOVT. OF NCT OF DELHI) – Respondent(s) Criminal Appeal Nos. arising out of SLP (Crl.) Nos. 13988, 14030, 14132, 14165, 14859, 15335 & 17055 of 2025 (i) Unlawful... [Read more: Landmark ruling on bail under UAPA S. 43D\(5\) – Differentiation between masterminds and facilitators – Accused-specific inquiry mandated – Prolonged incarceration not automatic ground for bail under special statutes](#)

- [SC Directs Regularization of Ad-hoc Employees Under Article 142 – Differential Treatment Among Similarly Situated Employees Violates Articles 14, 16, 21](#) January 5, 2026

Supreme Court directs regularization of ad-hoc employees of Allahabad High Court appointed by Chief Justice under Rules 8(a)(i), 41 and 45 of 1976 Rules. Bench of Justice J.K. Maheshwari and Justice Vijay Bishnoi held that denying regularization to appellants while regularizing similarly situated employees appointed through same channel violates Articles 14, 16 and 21. Distinction based on appointment letter stipulations when channel identical held arbitrary. High Courts must act as model employers upholding equality. Court exercised Article 142 powers directing reinstatement, regularization and consequential benefits within 8 weeks.

- [Supreme Court Upholds Conviction in Child Trafficking and Sexual Exploitation Case Under ITPA](#) January 4, 2026

Supreme Court upholds conviction in child trafficking case involving sexual exploitation of 16-year-old minor. The Bench of Justice Manoj Misra and Justice Joymalya Bagchi emphasized sensitivity in appreciating minor victim testimony, holding that conviction can rest on sole credible testimony of trafficked minor who is injured witness, not accomplice. Court reiterated that school certificates prevail over ossification tests for age determination under JJ Rules 2007. Non-compliance with ITPA S. 15(2) search procedure held to be irregularity, not fatal to conviction. Conviction under IPC S. 366A, 373, 34 and ITPA S. 3, 4, 5, 6 affirmed.

- [Surety Verification – Identification by Aadhar](#) December 31, 2025

Criminal law – Surety Verification – Identification by Aadhar – Judicial notice of illegal charges and harassment by persons identifying sureties (Lambardars, Ward Members) – Direction issued that verification of surety's identity through Aadhar/MAADHAR app is sufficient and foolproof – Investigating Officers/Courts shall not insist on verification by Lambardar/Ward Members etc. unless Aadhar identification is... [Read more: Surety Verification – Identification by Aadhar](#)

- [Criminal Procedure Code, 1973](#) December 31, 2025

Criminal Procedure Code, 1973 Bail — Annulment vs Cancellation — Annulment operates in field distinct from cancellation — Cancellation premised on supervening circumstances or post-bail misconduct; annulment justified where order vitiated by perversity, illegality, arbitrariness or non-application of mind — Bail set aside where

High Court ignored prior cancellation, death of witness, gravity of SC/ST... [Read more: Criminal Procedure Code, 1973](#)

- [“Vendors Cannot Escape Contract After Accepting Additional Payment Post-Deadline”](#) November 1, 2025
2025 PLRonline 408867 = (2025-2)217 PLR 797 (SC) (SN) Download: 2025 PLRonline 408867 = (2025-2)217 PLR 797 (SC) (SN) . SUPREME COURT OF INDIA Present: Justice J.B. Pardiwala and Justice Manoj Misra ANNAMALAI – Appellant Versus VASANTHI AND OTHERS – Respondents C.A. No. 013076 – 013077 / 2025 (Arising out of SLP (C) Nos. 26848-26849... [Read more: “Vendors Cannot Escape Contract After Accepting Additional Payment Post-Deadline”](#)
- [MOU for Joint Development Agreement Not Enforceable Under Specific Relief Act – Karnataka High Court](#) October 29, 2025
Karnataka HC rejects plaint for specific performance of MOU to execute JDA, holding agreement without consideration and privity of [contract](#) unenforceable under law.
- [Termination of Arbitral Proceedings for Non-Filing of Statement of Claims — Not an Arbitral Award under Section 25\(a\)](#) October 27, 2025
(2025-2)217 PLR 770 (Del.) (SN) = 2025 PLRonline 482867 HIGH COURT OF DELHI AT NEW DELHI Present: Justice Jasmeet Singh MECWEL CONSTRUCTIONS PVT. LTD. – Appellant/Petitioner(s) Versus GE POWER SYSTEMS INDIA PVT. LTD. – Respondent(s) O.M.P. (T) (COMM.) 38/2025, 39/2025, 40/2025 (i) Arbitration and Conciliation Act, 1996 – Section 14, 15, 25(a) and 32 –... [Read more: Termination of Arbitral Proceedings for Non-Filing of Statement of Claims — Not an Arbitral Award under Section 25\(a\)](#)
- [\(no title\)](#) October 22, 2025
- [Supreme Court: Deception Alone Insufficient for Cheating Without Dishonest Inducement Prosecution Must Prove Accused Made Forged Document and Had Requisite Mens Rea. ID 416860](#) October 22, 2025
(2025-2)217 PLR 737 (SC)(SN) = 2025 PLRonline 006 = ID 416860 SUPREME COURT OF INDIA Present: Justice B.V. Nagarathna and Justice Joymalya Bagchi. JUPALLY LAKSHMIKANTHA REDDY – Appellant/Petitioner(s) Versus STATE OF ANDHRA PRADESH & ANR. – Respondent(s) Criminal Appeal No. 3951 of 2025 (i) Indian Penal Code, 1860 – Section 420 – Cheating – Essential... [Read more: Supreme Court: Deception Alone Insufficient for Cheating Without Dishonest Inducement Prosecution Must Prove Accused Made Forged Document and Had Requisite Mens Rea. ID 416860](#)
- [Land Acquisition Act, 1894, Sections 30, 31\(2\) & Punjab Tenancy Act, Section 5\(2\) – Occupancy tenants entitled to compensation – Payment wrongly made to landowners despite protest and without notice to tenants – Apportionment petition/reference by occupancy tenants maintainable – Jamabandi entries prove occupancy rights if unrebutted.](#) October 22, 2025
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[notice to tenants – Apportionment petition/reference by occupancy tenants maintainable – Jamabandi entries prove occupancy rights if unrebutted.](#)

- [Land Acquisition Act, 1894 – Compensation dispute among claimants – Civil Court jurisdiction not barred – Award by Collector not final among interested persons – Claimant can file separate civil suit for resolution of dispute](#)October 22, 2025
Land Acquisition Act, 1894 – Compensation dispute among claimants – Civil Court jurisdiction not barred – Award by Collector not final among interested persons – Claimant can file separate civil suit for resolution of dispute
- [MVA S. 164 – Under the Motor Vehicles Act, 1988, a claim petition filed under Section 164 \(read with Section 166\(3\)\) cannot be dismissed as time-barred. \[#44601\]](#)August 31, 2025
Motor Vehicles Act, 1988 Section 164 read with Section 166(3) – Limitation – Time-barred – Dismissal – Set aside – Prior to the amendment clause of the Motor Vehicles Act Section 163A was in vogue for filing the claim petition on the basis of no fault liability prescribed in the structure formula – Section 164 is pari materia to the aforementioned provision – The Act opens with the non obstante clause and therefore the provisions of sub section 3 of Section 166 would not have come into the way of the petitioners for the purpose of prosecuting the claim application
- [Insurance – Proposal form – It has been clearly stated in the form that risk will commence on the date and time of acceptance of risk and/or issue of cover note/policy – It is not a policy of the insurance, nor the offending vehicle can be said to have been insured on the basis of this proposal. 2022 PLRonline 0609](#)August 31, 2025
2022 PLRonline 0609 HIGH COURT OF PUNJAB AND HARYANA JUSTICE TRIBHUVAN DAHIYA Charat Singh Appellant Versus Rajveer Kaur and others Respondents CM No.5646-CII of 2020 in/and FAO No.2064 of 2012 (O&M) 08.09.2022 Insurance – Proposal form – It has been clearly stated in the form that risk will commence on the date and time of acceptance... [Read more: Insurance – Proposal form – It has been clearly stated in the form that risk will commence on the date and time of acceptance of risk and/or issue of cover note/policy – It is not a policy of the insurance, nor the offending vehicle can be said to have been insured on the basis of this proposal. 2022 PLRonline 0609](#)
- [Employees’ Provident Fund and Miscellaneous Provisions Act, 1952, Section 11\(2\) — SARFAESI Act, 2002, Section 35 — Priority of claims — EPFO versus secured creditors](#)August 27, 2025
Dispute arose regarding priority of charge between EPFO and secured creditors (Axis Bank, State Bank of India, State Bank of Travancore). Appellant contended that Axis Bank had realised ₹12 crores by sale of Attibele property while it had realised only ₹7 crores from other properties and already deposited ₹75 lakhs; balance, if any, should be... [Read more: Employees’ Provident Fund and Miscellaneous Provisions Act, 1952, Section 11\(2\) — SARFAESI Act, 2002, Section 35 — Priority of claims — EPFO versus secured creditors](#)
- [Legal Services Authority Act, 1987, Section 22-C \(I\) – Jurisdiction – Claim raised for a sum Rs.17 lacs whereas the Permanent Lok Adalat under second proviso of Section 22-C \(I\) of the Legal Services Authority Act, 1987, did not have jurisdiction in the matters where value of the property in dispute exceeds ten lakh rupees – Relief granted for Rs. 4.17 lacs – Relief has not been granted beyond the jurisdiction vested](#)

[in the Permanent Lok Adalat – Order upheld.](#) August 23, 2025

Legal Services Authority Act, 1987, Section 22-C (I) – Jurisdiction – Claim raised for a sum Rs.17 lacs whereas the Permanent Lok Adalat under second proviso of Section 22-C (I) of the Legal Services Authority Act, 1987, did not have jurisdiction in the matters where value of the property in dispute exceeds ten lakh rupees... [Read more: Legal Services Authority Act, 1987, Section 22-C \(I\) – Jurisdiction – Claim raised for a sum Rs.17 lacs whereas the Permanent Lok Adalat under second proviso of Section 22-C \(I\) of the Legal Services Authority Act, 1987, did not have jurisdiction in the matters where value of the property in dispute exceeds ten lakh rupees – Relief granted for Rs. 4.17 lacs – Relief has not been granted beyond the jurisdiction vested in the Permanent Lok Adalat – Order upheld.](#)

- [Sarfaesi | MSME – Framework for Revival and Rehabilitation of Micro, Small and Medium Enterprises , Notification dated 29.05.2015 | NPA | Duty of Bank and Loanees](#) July 31, 2025

(i) Micro, Small and Medium Enterprises Development Act, 2006 – Framework for Revival and Rehabilitation of Micro, Small and Medium Enterprises – Notification dated 29.05.2015 – Obligation to identify “incipient stress” in loan account – Not solely on lending banks Notification detailing FRAMEWORK, more particularly paragraph 1 and its sub-paragraphs, have to be read together to make its terms effective and meaningful – Although in sequence of FRAMEWORK “Identification by Banks or Creditors” comes first, it is immediately followed by “Identification by the Enterprise” – In terms of sub-paragraph 2, any MSME may choose to voluntarily initiate proceedings under FRAMEWORK if it “reasonably apprehends failure of its business or its inability or likely inability to pay debts and before accumulated losses of enterprise equals to half or more of its entire net worth” – For initiation of proceedings under FRAMEWORK, application has to be verified by affidavit of authorised person. [Para 5] (ii) Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 – Section 13(2), 13(3-A) – MSME Framework – Terms of FRAMEWORK do not prohibit lending bank/secured creditor (assuming it has no conscious knowledge that defaulting borrower is MSME) to classify account of defaulting MSME as NPA and to even issue demand notice under Section 13(2) of SARFAESI Act without identification of incipient stress in account – However, upon receipt of demand notice, if such borrower in its response under Section 13(3-A) of SARFAESI Act asserts that it is MSME and claims benefit of FRAMEWORK citing reasons supported by affidavit, lending bank/secured creditor would then be mandatorily bound to look into such claim keeping further action under SARFAESI Act in abeyance. [Para 6] (iii) MSME Framework – Interpretation – Cannot render obligation of lending banks absolute while making MSME’s obligation redundant If accepted that every lending bank/secured creditor under SARFAESI Act would be obliged to find out in every event of continuing default whether borrower is MSME to which FRAMEWORK applies, this could not have been in-tention behind introduction of FRAMEWORK – If indeed it is only obligation of lending bank/secured creditor to identify incipient stress in account, sub-paragraphs 2 and 3 of paragraph 1 would be rendered redundant – Terms of FRAMEWORK to be read and interpreted harmoniously to ensure that right under MSME Act is not destroyed by SARFAESI Act or vice versa. [Para 6] (iv) MSME Framework – Obligation of MSMEs – Vigilance required – Cannot claim benefit at

belated stage It would be equally incumbent on part of MSMEs concerned to be vigilant enough to follow process laid down under said Framework, and bring to notice of Banks concerned, by producing authenticated and verifiable documents/material to show its eligibility to get benefit of said Framework – If such Enterprise allows entire process for enforcement of security interest under SARFAESI Act to be over, or it having challenged such action of bank/creditor concerned in court of law/tribunal and having failed, such Enterprise could not be permitted to misuse process of law for thwarting actions taken under SARFAESI Act by raising plea of being MSME at belated stage – Following *Pro Knits v. Canara Bank*, (2024) 10 SCC 292. [Para 8] (v) Constitution of India – Article 32 – Writ petition by MSME – Claim of Framework benefit at stage of Section 14 SARFAESI proceedings – Bona fides suspect Petitioning enterprise does not seem to have ever claimed benefit of terms of FRAMEWORK after demand notice under Section 13(2) of SARFAESI Act was issued – It is at stage of compliance with order passed by relevant Magistrate under Section 14 of SARFAESI Act that writ petition has been presented before Court claiming benefits of FRAMEWORK – Bona fides of petitioning enterprise found to be suspect – No case for interference under Article 32 of Constitution has been set up. [Para 7, 9]

- [Arbitration and Conciliation Act, 1998 – S. 34 – Scope of Interference – Milling of Paddy – Public Policy](#), July 26, 2025

M/s Vijay Rice and General Mills Ltd. & Anr. v. Punjab State Civil Supplies Corp. Ltd. & Ors. FAO-CARB-22-2025 (O&M), Decided on: 08.07.2025 Coram: Hon'ble Mr. Justice Anil Kshetarpal & Hon'ble Mr. Justice Rohit Kapoor

- [Criminal Conspiracy under Prevention of Corruption Act – Prosecution must prove meeting of minds by cogent evidence, not mere inference from disconnected circumstances – Presumption under Section 20 requires proof of demand and acceptance – Mere association or presence at crime scene insufficient to establish conspiracy – Burden cannot be shifted to accused without prima facie case.](#) [PLRonline ID#425858] May 18, 2025

(2025-1)216 PLR 815 (SN) = PLRonline ID#425858 Punjab and Haryana High Court Before: Justice Manjari Nehru Kaul. PARVINDER JEET SINGH – Appellant(s) Versus STATE OF PUNJAB – Respondent(s) CRA-S-1555-SB of 2018 Alongwith CRA-S-1412-SB-2018 (i) Prevention of Corruption Act, 1988 (49 of 1988), Section 13(1)(d)(ii) — Indian Penal Code, 1860 (45 of 1860), Section 120-B — Criminal... [Read more: Criminal Conspiracy under Prevention of Corruption Act – Prosecution must prove meeting of minds by cogent evidence, not mere inference from disconnected circumstances – Presumption under Section 20 requires proof of demand and acceptance – Mere association or presence at crime scene insufficient to establish conspiracy – Burden cannot be shifted to accused without prima facie case.](#) [PLRonline ID#425858]

- [Suit – Fraud – Burden of Proof – Execution of Documents – Reasonable Expectation of Understanding – It is hard to believe that a person with sound mind would sign or affix thumb impressions on multiple documents without reading them or understanding their nature](#) Suit – Fraud – Burden of Proof. [PLRonline #468857] May 16, 2025

Suit – Fraud – Burden of Proof – Plaintiff's Duty to Prove Case – Where fraud is pleaded in a civil suit, it has to be proved beyond reasonable doubt and not merely by allegations – The plaintiff must prove their own case by leading cogent evidence –

Weakness in the defendant's case does not come to the aid of the plaintiff – Mere allegation of fraud without sufficient evidence to even prima facie prove the contention will not suffice. Union of India v. M/s Chaturbhai M. Patel & Co. AIR 1976 SC 712 – followed

- [Powers of attorney must be strictly construed with general powers limited to the primary purpose for which they were granted, such as litigation or management – When executed by pardanashin or illiterate ladies, mere reading of the document is insufficient – full understanding of its import must be demonstrated – Agents holding power of attorney occupy a fiduciary position and must act in good faith, with transactions benefiting the agent's own family requiring strong proof of bona fides.](#) [PLRonline ID#712800] May 16, 2025

1965 PLRonline 0001 PH ID#712800 PUNJAB AND HARYANA HIGH COURT Before:- Justice Harbans Singh. Smt. NAND KAUR – Appellant Versus MASTAN SINGH and others – Respondents R.S.A. No. 1334 of 1963. 6.10.1965. 1. Power of Attorney – Construction, Interpretation and Limitation of Authority Power of attorney must be strictly construed and confer only authority given... [Read more: Powers of attorney must be strictly construed with general powers limited to the primary purpose for which they were granted, such as litigation or management – When executed by pardanashin or illiterate ladies, mere reading of the document is insufficient – full understanding of its import must be demonstrated – Agents holding power of attorney occupy a fiduciary position and must act in good faith, with transactions benefiting the agent's own family requiring strong proof of bona fides.](#) [PLRonline ID#712800]

- [Legal Services Authorities Act, 1987, Section 22D – PLA has the power to review.](#) [PLRonline ID#218802] May 15, 2025

Legal Services Authorities Act, 1987, Section 22D – Liberal Procedure and Power of Review – Section 22D of the Legal Services Authorities Act enacts a procedure which is more liberal than the Code of Civil Procedure. The provision that the Permanent Lok Adalat shall be guided by principles of natural justice, objectivity, fair play, equity and other principles of justice, and shall not be bound by the Code of Civil Procedure, 1908 and the Indian Evidence Act, 1872, includes within its liberal construction the power to review as well.

- [NIA S. 138 – A notice under Section 138 of the Negotiable Instruments Act must specifically demand the cheque amount; a vague or omnibus demand invalidates the complaint. The provision being penal requires strict compliance, including service of a valid notice. While Section 138 does not mandate giving 15 days' notice, the drawer must pay within 15 days of receiving it. The High Court rightly quashed proceedings under Section 482 CrPC due to failure to meet statutory notice requirements, making the complaint legally unsustainable.](#) 2007 PLRonline 0106 (SC) April 22, 2025

A notice under Section 138 of the Negotiable Instruments Act must specifically demand the cheque amount; a vague or omnibus demand invalidates the complaint. The provision being penal requires strict compliance, including service of a valid notice. While Section 138 does not mandate giving 15 days' notice, the drawer must pay within 15 days of receiving it. The High Court rightly quashed proceedings under Section 482 CrPC due to failure to meet statutory notice requirements, making the complaint legally unsustainable. 2007 PLRonline 0106 (SC)

- [CPC O. 23 R. 3A – Bar under Order XXIII Rule 3A applies only to parties who were part](#)

[of the compromise, leaving non-parties free to sue if their independent rights are affected. A compromise binds only those who participated, and does not extend to strangers—particularly where a beneficiary holds a probated Will conferring title in rem. Accordingly, separate suits by non-parties challenging the compromise or asserting probate-based rights are maintainable. \[2025 PLRonline 0112 = ID 401854\]](#)March 22, 2025

Civil Procedure Code, 1908 (V of 1908), Order XXIII Rule 3A – Bar against challenging compromise decree – Applicability restricted to parties to suit – The bar under Order XXIII Rule 3A prohibiting a suit to set aside a compromise decree applies only to parties who were part of the original suit and compromise, not to strangers to the proceedings – A person who was not a party to the compromise which affects their rights has no other alternative but to question the compromise by filing a separate suit or seeking a declaration that the same is not binding.

- [CrPC s. 125 – Non-rebuttable presumption that legislature had always intended to give relief to the woman becoming “wife”](#)March 10, 2025

Cr.P.C. , 1973 – S. 125 – The court as the interpreter of law is supposed to supply omissions, correct uncertainties, and harmonise results with justice through a method of free decision — libre recherche scientifique i.e. “free scientific research”. We are of the opinion that there is a non-rebuttable presumption that the legislature while...
[Read more: CrPC s. 125 – Non-rebuttable presumption that legislature had always intended to give relief to the woman becoming “wife”](#)

- [\[SC\] Murder – IPC, 1860, S.302 – Conviction set aside – Unreliable sole eyewitness – No corroborative evidence – Recovery suspect – Appellants acquitted – Benefit of doubt – Appellants entitled to acquittal. \[2025 PLRonline 0055 SC, ID 419854\]](#)March 8, 2025

Indian Evidence Act, 1872, Section 27 – Indian Penal Code, 1860, Section 302 – Murder – Benefit of doubt – Conviction based on sole unreliable eyewitness testimony – Essential corroboration lacking – Recovery of weapons highly suspect – No bloodstains on weapons, weapons not shown to doctor, seizure witnesses turned hostile, recovered items not produced in court – Clothes of accused not seized for forensic analysis – Glaring inconsistencies in prosecution evidence – Failure to link accused to homicidal death by credible evidence – Prosecution unable to discharge burden – Appellants entitled to acquittal – Conviction and sentence of life imprisonment quashed – Appeals allowed – Bail bonds discharged.

- [Probation of Offenders Act, 1958 \(20 of 1958\), Section 3, 4, 5 – Probation – Obligatory to grant probation to eligible first-time offenders, except in cases involving death penalty or life imprisonment . \[PLRonline ID 446854\]](#)March 8, 2025

Probation – Obligatory to grant probation to eligible first-time offenders, except in cases involving death penalty or life imprisonment .

- [Motor Vehicles Act, 1988 \(59 of 1988\), Section 166 – Deceased – 16-year-old girl studying in 11th standard – Notional income Rs.15,000 per month. \[2025 PLRonline 0051\]](#)March 8, 2025

Motor Vehicles Act, 1988 (59 of 1988), Section 166 – Deceased – 16-year-old girl studying in 11th standard – Notional income Rs.15,000 per month, applying a 40% enhancement for future prospects, and deductions for personal expenses at 50% bieng unmarried – Rs.18,000/- (Rs.15,000+20% increase) towards loss of estate – Rs.18,000/- (Rs.15,000+20% increase) towards funeral expenses – Rs.48,000/-

each (Rs.40,000+20% increase) towards loss of consortium – Total compensation Rs.24,00,000, with 7.5% annual interest from the filing date until realisation.

- [CrPC S. 439 – Second Bail Application – There is no legal bar to filing a new bail application after a previous one has been rejected or granted and later cancelled. The right to file a fresh bail application is not contingent upon the Supreme Court's permission, when the first Bail was allowed by the HC and set aside by the SC and had not allowed the filing of a new bail petition. 2025 PLRonline 474853 \(SC\)](#) February 24, 2025

Second Bail Application – There is no legal bar to filing a new bail application after a previous one has been rejected or granted and later cancelled. The right to file a fresh bail application is not contingent upon the Supreme Court's permission, when the first Bail was allowed by the HC and set aside by the SC and had not allowed the filing of a new bail petition. 2025 PLRonline 474853 (SC)

- [Insurance – Material fact – Concealment – Misstatement by itself is not material for repudiation of the policy unless the same is material in nature.](#) February 13, 2025
Misstatement by itself is not material for repudiation of the policy unless the same is material in nature. But, a deliberate wrong answer which has a great bearing on the contract of insurance, if discovered may lead to the policy being vitiated in law. The purpose for taking a policy of insurance is not very material. It may serve the purpose of social security but then the same should not be obtained with a fraudulent act by the insured. Proposal can be repudiated if a fraudulent act is discovered.

- [Insurance – Material fact – Uberrima fides](#) February 13, 2025
CROWN CONSULTANTS PVT. LTD. Versus ORIENTAL INSURANCE COMPANY LTD., III(2011) CPJ 439 (NC), as under:- 19. A contract of insurance is based on the doctrine of uberrima fides, i.e., utmost good faith, in the conduct of the insured. This doctrine was enunciated as far back as in 1766 by Lord Mansfield in the celebrated case...

[Read more: Insurance – Material fact – Uberrima fides](#)

- [CrPC S. 156\(3\), 200 – Upon a Magistrate taking cognizance of a complaint under Section 200 of the CrPC 1973, the Court is precluded from directing an investigation under Section 156\(3\) of CrPC. \[ID 448777\]](#) December 23, 2024
2024 PLRonline 448777 = (2024-3)215 PLR 737 (SN) PUNJAB AND HARYANA HIGH COURT Before: Mr. Justice Vinod S. Bhardwaj. DIVYANSHU MEHTA – Petitioner, Versus STATE OF PUNJAB and another – Respondents. CWP-24409-2024 Criminal Procedure Code, 1973 Section 156(3), 200 – Upon a Magistrate taking cognizance of a complaint under Section 200 of the Criminal Procedure Code,... [Read more: CrPC S. 156\(3\), 200 – Upon a Magistrate taking cognizance of a complaint under Section 200 of the CrPC 1973, the Court is precluded from directing an investigation under Section 156\(3\) of CrPC. \[ID 448777\]](#)

- [Hindu Marriage Act, 1955 – S.13\(1\)\(ia\), S. 26 – Child – Visitation – Interest of the minor child is paramount – In the process of adjudicating upon the rights of the parents, the health of a child aged 2 years cannot be compromised. \[ID#429700\]](#) December 22, 2024

[Hindu Marriage Act, 1955 – S.13\(1\)\(ia\), S.26 – Child – Visitation – Interest of the minor child is paramount – In the process of adjudicating upon the rights of the parents, the health of a child aged 2 years cannot be compromised – While the respondent has the right to visit the child, it cannot be at the cost of the child's health and wellbeing –](#)

Keeping in mind the best interest of the child and the interests of the parents, we agree with the High Court to the extent of granting certain visitation rights to the respondent, but the directions and set up to enable the same appear to be adversarial to the child and require to be modified.

- [LIMITATION CALCULATOR](#) December 9, 2024
Calculate the Limitation Period