

IMPORTANT WEEKLY JUDGEMENTS

CONSTITUTIONAL LAW

Tapas Kumar Palit vs. State of Chhattisgarh, 2025

The Supreme Court granted bail to the appellant, Tapas Kumar Palit, who had spent five years as an undertrial prisoner under charges related to the Unlawful Activities Prevention Act, 1967 (UAPA), Chhattisgarh Vishesh Jan Suraksha Adhiniyam, 2005, and the IPC.

A Division Bench of Justices J.B. Pardiwala and R. Mahadevan set aside the Chhattisgarh High Court's decision and held:

- The accused had no prior criminal antecedents and had been in custody since March 24, 2020.
- The panch witnesses turned hostile, weakening the prosecution's case.
- The prosecution intended to examine 100 witnesses, causing indefinite delay in the trial.
- The Court reaffirmed the fundamental right to a speedy trial under Article 21 of the Constitution, stating that extended pre-trial incarceration without a final verdict infringes this right.

The Court criticized long trials, emphasizing that accused persons may suffer stigma, financial loss, and personal hardships, even if acquitted. It directed the release of the appellant on bail, with conditions including a ban on entering Kanker district, Chhattisgarh, and mandatory virtual court appearances.

CRIMINAL LAW

Ranveer Gautam Allahabadia vs. Union of India & Ors., 2025

The Supreme Court granted interim protection from arrest to YouTuber Ranveer Allahabadia (Beer Biceps) in multiple FIRs filed in Mumbai, Guwahati, and Jaipur over obscenity charges related to his remarks on the YouTube show India's Got Latent.

A bench of Justices Surya Kant and N Kotiswar Singh issued notices to the Union of India, Maharashtra, and Assam, directing that no further FIRs be registered against him regarding the episode.

The protection is conditional on Allahabadia joining the investigation, depositing his passport, and refraining from airing new shows until further orders. During the hearing, the court

criticized the vulgar language used, questioning its impact on society. The controversy arose when a leaked 10-second clip from a subscriber-only show went viral, leading to public outrage and legal action.

Vinod @ Nasmulla vs. State of Chhattisgarh, 2025

The Supreme Court acquitted Vinod @ Nasmulla, who was convicted for dacoity and offences under the Arms Act, citing the lack of evidentiary value of the Test Identification Parade (TIP). A bench of Justices PS Narasimha and Manoj Misra set aside the trial court and High Court's conviction, emphasizing that:

The TIP was conducted, but the three key witnesses who identified the accused were not examined during the trial.

Without their testimony, the TIP report lost its evidentiary value as it could not be corroborated or contradicted.

The possibility of pre-showing or tutoring the witnesses before the TIP could not be ruled out. Since the identification process was flawed, the Court granted the benefit of doubt to the accused and acquitted him.

Sovaran Singh Prajapati vs. State of Uttar Pradesh, 2025

The Supreme Court set aside the death sentence of Sovaran Singh Prajapati, accused of murdering his wife and 12-year-old daughter, citing denial of a fair trial under Article 21 of the Constitution. A bench of Justices Vikram Nath, Sanjay Karol, and Sandeep Mehta overturned the Allahabad High Court's ruling and remanded the case for a fresh trial from the stage of framing charges.

The Court identified multiple lapses in the trial, including:

- Absence of defense counsel during key witness examinations.
- Improper cross-examination and recording of statements.
- Frequent change of defense lawyers, affecting continuity and preparedness.
- Lack of effective legal representation, violating the accused's fundamental rights.

Referring to *Anokhila v. State of M.P.* (2019) and international fair trial standards (UDHR, ICCPR, and Rome Statute), the Court ruled that capital punishment demands highest procedural fairness. Consequently, the trial court's failure to ensure effective legal aid rendered the death sentence untenable. The case was sent back for retrial to correct these procedural deficiencies.

CIVIL LAW

H. Anjanappa vs. A. Prabhakar, 2025

The Supreme Court ruled on the condonation of delay and specific performance of contract, emphasizing that a transferee pendente lite (a person who purchases property while litigation is pending) does not have an absolute right to be impleaded in the case. The Division Bench of Justices J.B. Pardiwala and R. Mahadevan held that such impleadment depends on the nature of the suit and available evidence.

Background & Contentions:

- The Karnataka High Court condoned a 586-day delay in filing an appeal against the judgment of the Senior Civil Judge, Devanahalli, in a specific performance suit.
- The appellants argued that the subsequent purchasers (Respondents 1 and 2) were not bona fide buyers, as they acquired the property during litigation and in violation of a court injunction.
- The respondents claimed they were bona fide buyers, residing in Scotland at the time, and trusted the original owner to protect their interests in the case.

Court's Observations & Ruling:

- The High Court erred in condoning the delay without valid justification.
- The Code of Civil Procedure (CPC) does not grant an automatic right of appeal to a transferee pendente lite.
- A transferee can seek leave to appeal, but such discretion lies with the court, which must consider if the person is truly aggrieved.
- In this case, since Respondents 1 and 2 bought the property despite an injunction, they had no right to appeal.
- The Court set aside the High Court's order and suggested that Respondents 1 and 2 seek legal remedies against the vendor for compensation.

This judgment reinforces that transferees pendente lite are bound by court decisions in ongoing litigation and must exercise due diligence before purchasing property under dispute.

FAMILY LAW

Sukhdev Singh vs. Sukhbir Kaur, 2025

The Supreme Court ruled that a spouse whose marriage has been declared void under Section 11 of the Hindu Marriage Act, 1955 is entitled to seek permanent alimony or maintenance under Section 25 of the Act.

A Three-Judge Bench of Justices Abhay S. Oka, Ahsanuddin Amanullah, and Augustine George Masih held that:

- Permanent alimony can be granted even if a marriage is declared void, depending on the facts and conduct of the parties.

- The term "decree" in Section 25 includes decrees under Sections 11, 12, and 13, meaning maintenance can be awarded even after a nullity decree.
- Interim maintenance (pendente lite) under Section 24 can be granted even if the court prima facie finds the marriage void or voidable, provided the spouse lacks independent income.

The Court upheld the discretionary nature of maintenance relief, emphasizing that equitable considerations apply while deciding such claims.