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“Aano Bhadra Kratvo Yantu Viswatah”

Let all noble thoughts come to us from all Directions

॥ कः कालः कानि मित्राणि को देशः कौ व्ययागमौ ।
कश्चाहं का च मे शक्तिरिति चिन्त्यं मुहुर्मुहुः ॥

“इन बातों को बार बार गौर करे...सही समय, सही मित्र, सही ठिकाना,
पैसे कमाने के सही साधन, पैसे खर्चा करने के सही तरीके, आपके उर्जा
स्रोत ।”

CITATIONS

<https://indiankanoon.org/doc/84971415/>; **Vennamuddala Pramod Kumar, vs State of A.P.; WP 6113/2026; 09.03.2026**

The Writ Petition is filed challenging the notice issued by the Investigating Officer on 17.02.2026 requiring the petitioner to produce certain registered sale deeds. The learned counsel for the petitioner relied on the judgment of the Hon'ble Apex Court in Shyamlal Mohanlal Choksi v. State of Gujarat AIR 1965 SC 1251 , to contend that a person mentioned under Section 91 of 'the Cr.P.C.,' / Section 94 of 'the BNSS' would not include an accused person. He further relied on the order of a learned Single Judge of this Court in Kadiyala Simhachalam @ Vijay Kumar v. State of A.P., W.P.No.28470 of 2021 dated 01.11.2022, wherein at Paragraph No.26 it is held that a notice issued under Section 91 of 'the Cr.P.C.,' to a person who is an accused in a crime is not maintainable and the notice was quashed. Considering the above law, the notice dated 17.02.2026 issued under Section 91 of 'the Cr.P.C.,' / Section 94 of 'the BNSS' by the Investigating Officer in Cr.No.146 of 2026 of Kolluru Police Station is suspended until the next date of hearing.

<https://indiankanoon.org/doc/161350738/>; Pandugayala Venkata Narasimhulu @ Venkata Narasimham Vs State of A.P; CRIMINAL APPEAL No: 30/2022;11.03.2026

This Criminal Appeal U/s.374(2) Cr.P.C. has been filed on behalf of the appellant/Accused to set aside the conviction and judgment dated 11.01.2022 passed in Spl.S.C.No.118 of 2017 on the file of the learned Special Judge for Trial of Offences under SCs/STs(PoA) Act, 1989-cum-VII Additional District & Sessions Judge, Prakasam District at Ongole, for the offence U/secs.354, 323, 506 of Indian Penal Code, 1860, and sections 3(1)(r)(s) and 3(2)(va) of SCs/STs (PoA) Act, 1989.

This Court has questioned 2nd respondent herein/de facto complainant with regard to compromise, and she categorically stated to that extent that she has voluntarily entered into compromise with the appellant/Accused. This Court is satisfied with the identification of the parties and voluntariness in arriving at the compromise. In view of the compromise between the parties, I.A.Nos.2 and 3 of 2025 are allowed, and accordingly, the judgment of the trial Court be set aside.

2026 0 INSC 222; 2026 0 Supreme(SC) 244; Harish Rana Vs. Union of India & Ors.; Miscellaneous Application No. 2238 of 2025 In Special Leave Petition (Civil) No. 18225 of 2024; Decided On : 11-03-2026 PASSIVE EUTHANASIA Case

As the ancient Shubashristha in Sanskrit goes –

चिंता चिंता द्वयोर्मध्ये,

Chita Chinta Dwavoormadhya,

चिंता तत्र गरीयसी ।

Chinta Tatra Gariyasi.

चिंता दहति निर्जीवं,

Chita Dahati Nirjivam,

चिंता दहति सजीवकम् ॥

Chinta Dahati Sajeevakam

“Between the funeral fire and the mental worry, it is the mental worry which is more devastating. While the funeral fire burns only the dead body, the mental worry burns the living one.”

2026 0 INSC 224; 2026 0 Supreme(SC) 245; Dablu Vs. State of Madhya Pradesh; Criminal Appeal Nos. 1819-1821 of 2011 With Vinod @ Ajay Vs State of Madhya Pradesh; CrIA No. 1176 of 2012; 11-03-2026

It is settled in law that in view of Section 149 IPC, every member of the unlawful assembly is vicariously liable for acts done by anyone of them to achieve a common object. Therefore, two things are essential to attract Section 149 IPC. The first is "unlawful assembly" and the second is "common object". The presence of the accused persons as part of the unlawful assembly is sufficient for conviction even if no overt act is imputed to each one of them individually. In the case at hand, all the accused persons had alighted from the bus together armed with firearms, thus, they were part of the unlawful assembly and had arrived at the bus stand with a common object. The movement of the accused persons in the above manner is sufficient enough to draw an inference that they had a common object. Therefore, the presence of the accused persons in the unlawful assembly to achieve a common object makes all of them vicariously liable for the acts of the unlawful assembly.

The fact that they admitted having seen the incident at the bus stand, and yet took no steps either to save the deceased or to take him to the hospital once he was injured or dead may be very unnatural behaviour on their part, but nothing much hinges upon that in the light of the other evidence on record which goes on to prove the commission of the offence by the accused persons.

The post-mortem report and the statement of Dr. V. K. Diwan (PW-1) who conducted the post-mortem, clinchingly prove that the deceased suffered multiple gunshot wounds with an entry wound near the right eye, on the chest and on the lower back. There were three exit wounds also. About 40 pellets (charras) were recovered from the body of the deceased. The doctor was of the clear opinion that all the injuries were caused by firearms and were sufficient to cause death. Simply for the reason that the doctor could not confirm if the injuries received by the deceased were from one weapon or multiple weapons does not make any difference so as to discard his evidence in entirety.

Besides the above, the recovery of the empty cartridges from the courtyard of Rattan Lal (PW-6) as well as the ballistic reports (Exh. P-11 and P-13) prove that they were fired from a 12-bore gun, though not from the gun which was seized from one of the accused Govind Singh (A-3). In a way, the evidence proves that the main accused Vikram fired at the deceased at the bus stand, which hit his elbow, and that the deceased suffered multiple

gunshot wounds, which were opined to have been fired from a 12-bore gun. Thus, the involvement of not only the main accused Vikram but also the other accused who were carrying firearms, is duly established.

The mere fact that the independent witness PW-6 did not see any of the accused persons firing upon the deceased or fleeing away from his house except Vikram, does not make any difference, nor does it belie the prosecution story that all the accused had chased the deceased from the bus stand to his house and that multiple shots were fired resulting in the death of the deceased. This in itself is sufficient to rope in all the accused by applying Section 149 IPC.

2026 0 INSC 212; 2026 0 Supreme(SC) 228; Dr. Sushil Kumar Purbey and Another Vs. The State of Bihar and Others; Criminal Appeal No. 1234 of 2026 [Arising Out of SLP (Crl.) No. 3075 of 2024]; 09-03-2026

Having considered the submissions advanced by the parties and upon a careful perusal of the material on record, we are of the view that the High Court fell into error in restricting the quashing of criminal proceedings only to the sister-in-law (respondent no. 3). A comparative reading of the FIR reveals that the allegations levelled against the sister-in-law and those against the present appellants are, in all material particulars, identical. The FIR does not assign any specific or overt act to either appellant; there are no particular dates, places, or individual acts attributed to them. The lone allegation that stands separately against the present appellants is that they would quarrel. This, however, does not constitute a criminal offence and cannot, by itself, sustain cognizance of the offences under Sections 341, 323, 498A & 34 of the IPC and Sections 3 & 4 of the Dowry Act for which the appellants have been summoned. The standard applied by the High Court in quashing proceedings against the sister-in-law, on the ground that the allegations against her were general and omnibus, applies with equal force to the present appellants, and there is no principled basis for distinguishing between them.

2026 0 INSC 215; 2026 0 Supreme(SC) 236; Manoj Kumar Mutta Vs. The State of Andhra Pradesh; Criminal Appeal No. 1263 of 2026 [Arising Out of S.L.P. (Criminal) No. 20419 of 2025]; Decided On : 10-03-2026

Having heard the learned senior counsel for the appellant and the learned ASG for the respondent-State at length, we are inclined to release the appellant on anticipatory bail for the reason that the appellant was not initially named in the FIR and no raid was ever conducted at his place of business. Admittedly, the raid was conducted at Ravi Khirana General Stores on

6.10.2025 and, thereafter, at A.N.R. Restaurant & Bar-both of which do not belong to the appellant. Moreover, the appellant has been arraigned as accused in two earlier criminal cases in which he was arrested and released on bail. In the present case, he has been granted interim protection from arrest by this Court vide order dated 6.1.2026 and he has appeared before the Investigating Officer. There is no allegation that the appellant has misused the liberty granted.

2026 0 INSC 223; 2026 0 Supreme(SC) 243; Sanjay Kumar Sharma Vs. State of Bihar & Ors.; Criminal Appeal No of 2026 [@Special Leave Petition (Crl.) No. 15378 of 2024]; Decided On: 11-03-2026

From a conspectus of the above decisions, it is clear: That, a dying declaration is a very important species of evidence capable of proving the crime proper and identifying the accused, an exception to hearsay having been provided by Section 32 of the Indian Evidence Act. That, a dying declaration, for reliance should inspire confidence in the Court as to its credibility. That, the Court should be satisfied it is made by the deceased without any prompting or tutoring or coercion or is a mere figment of imagination. That, then conviction can be based solely on the dying declaration and there is no requirement of any corroboration. That, it can be reduced to writing or can be oral, as testified by reliable witnesses. That, it can be one or numerous and if more than one; exculpatory and inculpatory, it is for the Court to find out which is believable. That, it can be a lengthy one or a short one, so far as the crime is spoken of and identification of the perpetrator comes through. That, it can be a single narrative or in a question and answer form. That, it can either have a history of the rancour between the perpetrator and the victim or can be merely the brief statement of the incident. That, the capacity of the injured to make the statement, both physical and mental, need not be necessarily certified by a doctor and would rest again on the satisfaction of the Court on an analysis of the testimony of the various witnesses and the other evidence coming forth in trial. That, if the Court is satisfied of the fit state of mind of the injured from the evidence on record, a contrary medical opinion or an absence of it will be inconsequential. That, it can be made before a Magistrate; Executive or Judicial, a Doctor, a Police Officer, a relative or a third party whose presence is not doubtful. That, the desire of the declarant to live, through the truth despite fear of imminent death cannot be easily brushed aside. The decisions also caution us that if the statement is doubtful then one or more of the above aspects could result in the dying declaration being eschewed completely; based on the facts of each case.

14. As a corollary, it also has to be observed: That, if there is an iota of suspicion the Court has to look for corroboration. That, the medical certification as to the physical and mental state always aids in arriving at a satisfaction. That, in the wake of multiple grievous injuries or a higher percentage of burns, the declaration could be in question and answer form, lending more credence as actually spoken of by the injured as opposed to a long drawn out narrative, which could be mistaken as supplied by interested related parties. That, a dying declaration recorded by the Judicial Magistrate, adds credence since they are trained to record such declarations. That, as far as possible, the recording is to be done in the presence of the Doctor and definitely not in the presence of numerous bystanders; which could lead to a defence being raised of prompting and tutoring. That, the veracity of the declaration has to come forth from the attendant circumstances as brought out in evidence.

We have found that the investigation carried out is grossly deficient. The scene mahazar was not drawn up, no forensic examination was carried out at the scene of crime and no independent witnesses were arrayed. The causation of fire not investigated, the presence of the accused in the vicinity of the crime scene not established. The delay in registration of FIR despite the information having been received at the police station earlier, and the police personnel including the I.O. having visited the scene of occurrence where a number of villagers were present was a serious lapse. The delay caused and the manner in which the FIS was recorded in the present case throws suspicion on the very conduct of the I.O. The dying declarations should have been recorded with more caution and when taken inside the hospital it should have ideally been recorded in the presence of a Doctor, whose certification also ought to have been obtained. The incriminating circumstances that come out in a trial are to be put to the accused in its entirety, a solemn duty enjoined both on the Court and the Prosecutor equally, failing which the entire prosecution may fail for that sole reason. We reiterate these aspects only to point out the lapses in investigation, which could have been avoided, to provide some guidance at least in the future.

32. A couple, at the fag end of their lives were burnt to death and the cause, whether it's a homicide or accidental death, eludes civil society and throws a pall of suspicion on their own son and his family, who will always carry the yoke of dishonour. The son and daughter-in-law were accused of parricide and were convicted by the trial court, later acquitted by the High Court, which acquittal is now affirmed by us. The trauma of arrest, incarceration and trial will always scar the couple and more so their children who were left orphaned, during the time when their parents were imprisoned. We cannot but caution the investigators and the Courts to strive to do better and follow

accepted practises and procedural rules to the hilt, when lives are lost or taken and there is a possibility of false accusations being made, putting to peril the reputations of the living.

2026 0 INSC 221; 2026 0 Supreme(SC) 242; Central Bureau of Investigation Vs. Baljeet Singh; Criminal Appeal No. of 2026 [Special Leave Petition (Crl.) No. 12486 of 2025] Decided On : 10-03-2026

It was categorically held in *Basawan Singh*⁵, by a Constitution Bench that there is no inflexible rule of discarding the testimony of the persons in the raiding party, unless independent corroboration is available. The trite law is that the testimony of an interested or partisan witness has to be scrutinized with care, and it is not that of an accomplice. Neither is the complainant an accomplice, nor can the persons involved in the raiding party be considered to be interested since they are exercising a public duty without any personal rancour. In the instant case, when the independent witness had not fully supported the prosecution story sufficient corroboration was found from their deposition. A Constitution Bench of this Court in *Neeraj Dutta v. State (Govt. of NCT of Delhi)*, [\(2023\) 4 SCC 731](#) approved *Prakash Chand*⁴ and referred also to *Sat Paul v. Delhi Administration*, [\(1976\) 1 SCC 727](#) to hold that “even if a witness is treated as “hostile” and is cross examined, his evidence cannot be written off altogether but must be considered with due care and circumspection and that part of the testimony which is creditworthy must be considered and acted upon” (sic-para 67). The contention taken by the defense that the conduct of the accused when challenged by the Inspector was inadmissible under Section 162 was repelled. Relying on *Himachal Pradesh Administration v. Shri Om Prakash*, [\(1972\) 1 SCC 249](#), it was held that, when an accused person leads a police officer to a particular location where stolen articles and weapons are concealed, which have a connection with the offence alleged, on such recovery, the concealment would be admissible as relevant conduct under Section 8 of the Indian Evidence Act, 1872 irrespective of whether any statement by the accused contemporaneously with or antecedent to such conduct, falls within the purview of Section 27 of the Evidence Act.

As rightly observed by the High Court, there was neither proof of demand nor acceptance by A1 but for the statement of PW1 that A2 demanded the bribe on behalf of A1. There can be no reliance placed on such statement made by the co-accused and there can be no conviction entered into on that account. We are, however, inclined and persuaded to set aside the acquittal against A2 and restore the order of the Trial Court convicting him for the offence under Section 7 of the PC Act; there being no conspiracy under

Section 120B of IPC established. The sentence of four years of RI handed down by the trial court is modified to one year, considering the age of A2, with a fine of Rs.1 lakh with a default simple imprisonment of three months as awarded by the trial court, which will stand restored and confirmed. A2 shall surrender within a period of four weeks from today.

2026 0 INSC 238; 2026 0 Supreme(SC) 258; Rajendra & Ors Vs. State of Uttarakhand; Criminal Appeal No.(s) 264 of 2015; 13-03-2026

It is the trite in law that the conviction can rest on the solitary version of the prosecutrix, provided it inspires confidence of the Court. In the present case, the version of the prosecutrix utterly fails to inspire confidence of this Court. 16. This court in the case of Vijayan vs. State of Kerala ([2008](#)) [14 SCC 763](#) dealt with similar facts to the extent that the entire case of the prosecutrix was based on her testimony and there was a delay of 7 months in lodging the FIR, and no other evidence was available on record. The court in the case held that-

“5. The present case wholly depends upon the testimony of the prosecutrix.

The incident in the present case took place seven months prior to the date of lodging the complaint as a realisation dawned upon her that she has been subjected to rape by the appellant-accused. No complaint or grievance was made either to the police or the parents prior thereto. The explanation for delay in lodging the FIR is that the appellant-accused promised her to marry therefore the FIR was not filed. In cases where the sole testimony of the prosecutrix is available, it is very dangerous to convict the accused, specially when the prosecutrix could venture to wait for seven months for filing the FIR for rape. This leaves the accused totally defenceless. Had the prosecutrix lodged the complaint soon after the incident, there would have been some supporting evidence like the medical report or any other injury on the body of the prosecutrix so as to show the sign of rape. If the prosecutrix has willingly submitted herself to sexual intercourse and waited for seven months for filing the FIR it will be very hazardous to convict on such sole oral testimony. Moreover, no DNA test was conducted to find out whether the child was born out of the said incident of rape and that the appellant-accused was responsible for the said child. In the face of lack of any other evidence, it is unsafe to convict the accused. Therefore, we are of the opinion that the view taken by the trial court and the learned Single Judge of the High Court in convicting the appellant-accused under Section 376 IPC cannot be sustained. Consequently, we set aside the judgment and order of the trial court as

also of the High Court and quash the conviction and sentence of the appellant- accused under Section 376 IPC. The accused may be released forthwith from custody if not required in any other case.”

17. It is safe to say that even in the case at hand, there is no medical evidence, or any other evidence on record to prove that the accused persons committed the grave act. The ratio in the case of Vijayan (supra) squarely covers the case at hand. We, therefore, do not find any reason whatsoever to hold that the appellants committed the heinous act. The material on record does not clearly establish the guilt of the accused person and the prosecution has not proved its case beyond reasonable doubt. We therefore allow the present appeal and set aside the judgment and order of the High Court.

2026 0 INSC 217; 2026 0 Supreme(SC) 238; Pooranmal Vs. The State of Rajasthan and Another; Criminal Appeal No. 1266 of 2026 [Arising Out of SLP (Crl.) No. 1977 of 2026]; Decided On : 10-03-2026

Mere recovery of currency notes, in absence of any cogent evidence establishing clear nexus between said amount and crime, would not by itself constitute an incriminating circumstance against appellant – Mere recovery of currency notes cannot constitute incriminating evidence in absence of corroborative evidence – Recovery of shirt is totally unreliable – For treating FSL report to be admissible, prosecution would have to prove complete chain of custody establishing sanctity of sealed articles right from time of seizure till the time they reached FSL – Utter failure of prosecution to disclose as to reasons for which samples were returned from FSL breaches unbroken chain of custody mandatorily required to prove safe keeping of Muddamal articles – Requisite link evidence essential to prove safe-keeping and sanctity of Muddamal articles is lacking and chain of custody has been breached beyond reprieve, thereby, making FSL report redundant – Neither recovery of currency notes is reliable, nor recovery of shirt inspires confidence. Requirement of certificate under Section 65-B of Evidence Act for admissibility of electronic evidence is mandatory and cannot be dispensed with.

2026 0 INSC 240; 2026 0 Supreme(SC) 262; The State of Himachal Pradesh Vs. Surat Singh; Criminal Appeal No. 96 of 2018; 16-03-2026

According to Section 50 of the ND & PS Act, the accused has to be apprised of his legal right to be searched either before the Magistrate or the Gazetted Officer. There is no third option to be searched before the Police Officer. Thus, the consent obtained from the accused was not in conformity with Section 50 of the Act. It has vitiated the entire trial.

The oral testimony of the witnesses clearly established that the Investigating Officer took a departure from the provisions of law and on the contrary committed an act which is clearly contrary to the provisions of law. It may not be out of place to state at the cost of repetition that the testimony of PW-8 reveals that there was no electronic weighing scale available in the shop and he was using only the traditional weighing scale as such the story of prosecution that an electronic weighing scale was used for weighing the contraband article charas falls flat on the face of it and the version of the prosecution and the story of the prosecution becomes doubtful and ultimately unacceptable. The High Court was also justified in placing reliance on the judgment of this Court in State of Rajasthan versus Parmanand and Anr., [\(2014\) 5 SCC 345](#) in support of the conclusions drawn by it.

2026 0 INSC 249; 2026 0 Supreme(SC) 271; Subramani Vs. State of Karnataka; Criminal Appeal No. 2432 of 2010; Decided On : 17-03-2026

The dying declaration of the deceased was recorded by the Head Constable working in the SR Nagar Police Station. His statement was recorded as PW-15. He categorically stated that he had remained posted in the aforesaid police station from 1997 to May, 2003 meaning thereby that he was posted at the aforesaid police station at the time the alleged incident took place and the deceased was taken and admitted to the hospital. He further stated that on the said date he was on night duty and at about 01:30 am, the Station House Officer having received information of the deceased being admitted in the hospital, had asked him to go and record her statement. He as such reached the hospital at 02:00 am and met the doctor of the burns ward of the hospital. He informed him that he had come to record the statement of the deceased. The doctor after talking to the deceased for about two minutes informed him that the patient was in a position to give the statement. He permitted him to record the statement, whereupon he recorded her statement for about half an hour. The deceased put her thumb (LTI) on the statement recorded by him as she was not in a position to put her signatures. The statement was endorsed by the doctor who certified the condition of the deceased and signed the statement. He proved the statement Exhibit P-12, the endorsement and the certificate of the doctor and his signatures upon it. The fact that the aforesaid PW-15 admitted that there was no nurse present at the hospital when he recorded the statement, is not enough to belie the above dying declaration. The same was recorded in the night at about 02:00-02:30 am with the permission of the doctor who has accepted having granted the permission on being satisfied that the deceased was in a fit state to make the statement. In the light of the above statements of the doctors and the

police officer, the oral evidence of PW-7 and PW-16 that she was not conscious to give any statement, is not reliable. The deceased, may have been momentarily in an unconscious state due to the effect of sedatives, however, by and large, as the burn injuries were superficial, though to great extent, she was conscious most of the time and was in a fit state of mind to get her dying declaration recorded.

The fact of recovery of the kerosene tin, matchbox and burnt cloth pieces from the scene of the incident, the deposition of PW-3, the daughter of the appellant and the deceased that she had seen her father bringing kerosene tin, pouring it on her mother and putting her on fire, coupled with the dying declaration and the statements of the doctors PW-10, PW-11 who examined and treated the deceased and PW-4 who conducted the post- mortem, in unequivocal terms prove that the appellant alone is responsible for the commission of the aforesaid offences. He is the person who picked up quarrel with his deceased wife, poured kerosene and burnt her and that his wife died due to the burn injuries after consciously making a dying declaration and naming the appellant as the main culprit.

The Trial Court was not justified in acquitting the appellant on slight discrepancies in the statements of some of the witnesses, particularly PW-7 and PW-16. PW-7 is a person who carried the deceased to the hospital and his statement is not very trustworthy. He has not deposed about her condition in the hospital. PW-16 is the police inspector who conducted the investigation. He might have deposed that the deceased was not in a conscious state of mind but that would not override the statement of the doctors who treated the deceased, especially the one who was on duty and had permitted the police to record the statement of the deceased on being satisfied that she was in a fit condition to make a statement.

2026 0 INSC 251; 2026 0 Supreme(SC) 273; Mohammad Kaleem Vs. State Of Uttar Pradesh & Ors; Criminal Appeal No. 1430 of 2026 (Arising out of SLP (Crl.) No 11085 of 2023) With Criminal Appeal No. 1431 of 2026 (Arising out of SLP (Crl.) No 11510 of 2023); 17-03-2026

The Trial Court's reasoning in rejecting the Section 319 application, prima facie appears to be largely aligned with the principles laid down by this Court, such as the requirement that evidence must be strong and cogent rather than mere suspicion. Both *Hardeep Singh v. State of Punjab*, [\(2014\) 3 SCC 92](#) and *Neeraj Kumar v. State of UP*, 2025 SCC OnLine SC 2639 emphasize that the power under Section 319 CrPC is extraordinary and should be exercised sparingly. The Court must assess whether the evidence on record, if unrebutted, reasonably indicates the involvement of the proposed accused.

9. At the same time, the Court has highlighted certain limits to the Trial Court's discretion at Section 319 CrPC. stage. Hardeep Singh(supra) clarified that the Court need not establish guilt or conduct a detailed credibility assessment at this stage, while Neeraj Kumar (supra) held that pre-trial scrutiny should not resemble a **mini trial**. The Trial Court, in this regard appears to have misdirected itself. In evaluating minor contradictions between witness statements and plausibility issues such as whether the complainant could have avoided injury, effectively applied a stricter standard than necessary.

10. Another instance is that higher than necessary standard being applied is reflected where the Court relied on the absence of jail records or highlighted minor discrepancies in hospital admission or FIR details. While these points raise valid questions about reliability, they are not points that can be gone into threadbare at this stage. Further, we find the Trial Court to have erred in taking a fragmented approach while appreciating evidence. The Trial Court treated each inconsistency in isolation rather than assessing the cumulative weight of all testimonies and circumstances. Similarly, reliance on documentary corroboration is not required; oral evidence alone, if credible, may suffice. The Court's emphasis on the lack of jail records and the physical plausibility of witness accounts could be seen as exceeding the threshold scrutiny expected at this stage. The Court overstepped the intended scope of pre-trial scrutiny, overemphasized minor inconsistencies, and did not fully consider the cumulative force of the evidence. The law consistently balances caution against undue summoning with the need to ensure that potentially implicated individuals are brought to trial when the record, taken as a whole, reasonably supports it.

11. Apart from the point of standard of review, it is also noticed that the proposed additional accused, namely Mumtaz and Aabid, have been named as persons involved in the case by way of a larger conspiracy or otherwise, by PW-1, as noticed by the trial court itself and also PWs 6 & 7. It is a separate matter that, as found by the Trial Court, there are inconsistencies in the overall testimonies of these witnesses but, that is a matter of trial and not within the Court's scope at the time of considering an application under section 319 CrPC. The testimony, on oath, by 3 witnesses, including the complainant no less, in our view, is sufficient in the facts of this case to meet the strong and cogent evidence standard.

12. In view of the above discussion, the judgments of the Courts below with particulars as described in paragraph 1, stand set aside. The persons who sought to be produced as additional accused are ordered to be produced as such, and proceeded with, in accordance with law.

2026 0 INSC 252; 2026 0 Supreme(SC) 274; Sharla Bazliel Vs. Baldev Thakur And Others; Criminal Appeal No(s). 1432 of 2026 (Arising out of SLP(Crl.) No(s). 3533 of 2024) With Criminal Appeal No(s). 1433 of 2026 (Arising out of SLP(Crl.) No(s). 2498 of 2025); Decided On : 17-03-2026

While deciding the quashing petitions, the learned Single Judge took note of the fact that the relevant documents had been taken into possession and had been sent to the SFSL for analysis. However, this vital aspect of the matter was completely glossed over by the learned Single Judge while quashing the FIR. Once the Court was apprised that investigation into the genuineness of the signatures on the disputed/questioned documents was being undertaken and the signatures were in the process of being analysed by the SFSL, there was no reason whatsoever for the High Court to have proceeded to quash the FIR by exercising jurisdiction under Section 482 CrPC.

Resultantly, we are of the firm opinion that the High Court prematurely quashed and terminated the proceedings arising out of the FIR filed by the appellant-complainant despite clear allegations establishing the offences of fraud, falsification of documents, forgery and criminal breach of trust. So far as the observation made by the High Court that the appellant had earlier filed FIR against her own father is concerned, it may be noted that the said FIR was in relation to an entirely different allegation, namely that her father had attempted to usurp the property of her grandfather by fabricating his signatures.

2026 0 INSC 254; 2026 0 Supreme(SC) 276; Vishvjeet And Others Vs. State of Uttar Pradesh And Another; Writ Petition(Criminal) No(s). 109 of 2026; 17-03-2026

The custodians of justice (Members of the District Bar Association, Barabanki) have turned into perpetrators of violence, which has led the petitioners to knock the doors of this Court to protect their Fundamental Rights by way of this writ petition under Article 32 of the Constitution of India. On 14th January, 2026, an advocate, namely, Mr. Ratnesh Shukla [hereinafter, being referred to as the 'complainant'], allegedly refused to pay the requisite toll charges while passing through the said toll plaza. Consequently, a verbal spat ensued between the complainant and the staff posted at the toll plaza, which subsequently escalated into a scuffle. It is alleged that the petitioners, being the employees of the operating company and posted at the toll plaza, assaulted the complainant.

It is also stated that, immediately after the registration of the F.I.R., members of the Bar Association started violent protests, as is the usual feature these days. Most notably, what is most unfortunate is that even the Bar Council of Uttar Pradesh joined the fray and addressed a letter to the Hon'ble Chief Minister of Uttar Pradesh requesting invocation of the provisions of National Security Act against the petitioners even though the incident pertained to a trivial scuffle.

8. It is further stated that a resolution was passed and circulated within the local bar to the effect that no advocate would represent the accused persons in connection with the FIR No. 15/2026. Notwithstanding the aforesaid resolution, one advocate, namely, Shri Manoj Shukla, displayed considerable courage and filed a bail application on behalf of the petitioners on 5th February, 2026. Shortly thereafter, the members of the Bar resorted to unruly behaviour and the office furniture of the said advocate was set on fire, and his effigy was also burnt. The news relating to these acts of hooliganism and arson has been published in the local newspapers, and the copies thereof have been annexed with the writ petition. The photographs placed on record clearly depict that the furniture of the advocate was set to fire.

Resultantly, the petitioners having been deprived of access to legal remedies in the State of Uttar Pradesh, have approached this Court by way of the instant writ petition under Article 32 of the Constitution of India, seeking, inter alia, a direction to be released on bail and for transfer of the proceedings of the criminal case arising from FIR No. 15/2026 registered at P.S. Haidergarh, District Barabanki to a competent Court in Delhi.

The facts noted hereinabove reveal a very sorry state of affairs. The legal profession, which was once regarded as a noble profession, has clearly been tainted and tarnished by the acts of hooliganism perpetrated pursuant to the fracas which took place at the toll plaza on 14th January, 2026. We can understand the sentiment of fraternity amongst the lawyers but that, by no means, can justify the acts of violence and lawlessness which ensued when a brave lawyer came forward to defend the accused. These deplorable acts of hooliganism deserve to be deprecated. The disciplinary body, i.e., the Bar Council of India is expected to take appropriate steps in this regard.

In these circumstances, denial of bail to the petitioners and the curtailment of their liberty for a period exceeding two months is absolutely unjustified and violative of the Fundamental Right of Liberty guaranteed under Article 21 of the Constitution of India warranting exercise of the extraordinary writ jurisdiction conferred upon this Court by Article 32 of the Constitution of India.

The Director General of Police, Uttar Pradesh shall be responsible for the safety and security of the petitioners, and shall ensure that upon their release on bail, the petitioners are duly escorted to a safe location.

[Sunny Karnani vs The State Of Andhra Pradesh on 9 March, 2026;](https://indiankanoon.org/doc/4646405/)
APHC010671202025; **[https://indiankanoon.org/doc/4646405/;](https://indiankanoon.org/doc/4646405/)**
CRIMINAL PETITION NO: 12896/2025

LW.7, Inspector of Police received information from LW.1 conducted the raid, prepared the mediator's report and seized the property and registered the case as FIR No.57/2024 for the alleged offences punishable under Sections 284, 328 of the Indian Penal Code, 1860 (for brevity 'the I.P.C.') and Section 5 read with 8 of the Prohibition of Electronic Cigarettes (Production, Manufacture, Import, Export, Transport, Sale, Distribution, Storage and Advertisement) Act, 2019 (for brevity 'the Act'). LW.8, Sub-Inspector of Police conducted further investigation, collected the evidence and arrested the accused, after completion of the investigation he filed chargesheet.

Upon a meticulous and anxious examination of the aforementioned statutory provisions in juxtaposition with the specific allegations levelled against the Petitioner in the chargesheet, this Court is of the considered opinion that none of the essential ingredients constitutive of the offences under either Section 284 or Section 328 of 'the I.P.C.', are even remotely attracted to the facts as pleaded and as they emerge from the record. The essential gravamen of Section 284 of 'the I.P.C.', is the handling of a 'poisonous substance' in a rash or negligent manner so as to endanger human life and the sine qua non of Section 328 of 'the I.P.C.', is the deliberate administration of poison, a stupefying drug, or an unwholesome substance to another person with a specific intent to cause hurt or facilitate an offence. Electronic cigarettes, which form the subject matter of the present prosecution, do not, by any legally tenable construction or judicial interpretation, answer the description of a 'poisonous substance' within the contemplation of Section 284 of 'the I.P.C.', nor do the facts alleged constitute the administration of poison or stupefying substances as envisaged under Section 328 of 'the I.P.C.' The invocation of these provisions is, therefore, manifestly erroneous and legally untenable.

On a careful scrutiny of the record, it is evident that LW.7 and LW.8, who investigated the matter, may individually qualify as 'authorised officers' within the meaning of Section 3(b) of 'the Act' by virtue of their respective ranks. Notwithstanding this, the fundamental procedural imperative that governs non-cognizable offences has not been adhered to. The Sub-Inspector of Police, LW.8, was not competent in law to file a chargesheet in respect of an

offence under [Section 8](#) of 'the Act'. The proper course mandated by law was for the authorised officer to institute a complaint as defined under [Section 2\(d\)](#) of 'the [Cr.P.C.](#),' by filing the same before the learned Magistrate under Section 190 read with Section 200 of 'the [Cr.P.C.](#),' so as to set in motion the process of law in accordance with the established procedure. This mandatory procedural requirement cannot be bypassed or substituted by the filing of a police chargesheet. The failure to comply with this requirement has vitiated the proceedings at the threshold, rendering the cognizance taken by the learned Magistrate without jurisdiction and legally void.

APHC010480162021; <https://indiankanoon.org/doc/164332120/>;
[Chekatla Venkateswara Rao vs The State Of Andhra Pradesh on 9 March, 2026](#); **CRIMINAL PETITION NO: 12896/2025**;

Applying the principles [laid down in](#) various decisions [referred to above](#), we have no doubt in our mind, that the appellant(Mistress of husband) is not a relative of the husband of the first informant. For the reasons aforementioned, the impugned judgment cannot be sustained. It is set aside accordingly. The appeal is allowed.

[Sutrave Balaksihan vs The State Of Andhra Pradesh on 9 March, 2026](#);
CRLP No.1908 of 2026 Date:09.03.2026; **APHC010122622026**

The 'learned Trial Court', by order dated 07.01.2026 in CrI.M.P.No.2008 of 2025 in Crime No.3 of 2025, granted the disputed gold ornaments to the temporary custody of the Petitioners subject to the following conditions:

1. The Petitioner/Owner of the above said Gold, weight of 1652.100 Gms shall execute bond of a personal Rs.2,00,00,000/- (Rupees Two Crores only) with two sureties.
2. The Petitioner/Owner of the property is also directed not to sell away or hypothecate the above said Gold and not to alter the said property.
3. The Petitioner/Owner is also directed to produce the said Gold as and when directed by this Hon'ble Court.
4. The Station House Officer, Jaggaiahpet Police Station is directed to return back the property for interim custody to the owner of the property on due identification and acknowledgment.
5. The Station House Officer, Jaggaiahpet Police Station is directed to conduct panchanama with two mediators and take the photographs prior to release the property and submit the same to this Court.

The seized property constitutes the working capital of Respondent No.2, who is engaged in jewellery business. Keeping the ornaments idle would cripple the business. If photographs, videography, and panchanama are prepared

under proper supervision, no prejudice will be caused to the prosecution, particularly since Respondent No.3 does not claim ownership.

Considering the facts and circumstances of the case, the Petitioners shall execute a personal bond for Rs.2,00,00,000/- (Rupees Two Crores only) with two sureties and conditions Nos.2 & 3 imposed by the learned Magistrate are relaxed.

<https://indiankanoon.org/doc/51901519/>; [CRLA/101/2026 on 9 March, 2026](#); **MUTHABATHULA SATISH Vs State of A.P. (DB)**

The present application is filed by the petitioner/appellant/accused under Section 430(1) Bharathiya Nagarik Suraksha Sanhita, 2023, seeking his release on bail, by suspending the sentence of imprisonment imposed by the learned Special Judge for Speedy Trial of offences under [Protection of Children from Sexual Offences Act, 2012](#), East Godavari at Kakinada, vide POCSCO S.C.No.54 of 2020, dated 14.11.2025, pending the present Criminal Appeal before this Court.

The learned counsel for the petitioner/appellant/ accused contends that the ocular version of the victim girl is not corroborated by the medical evidence. On that ground, he prayed that this Court may be pleased to enlarge the petitioner/appellant/ accused on bail, pending disposal of the present Criminal Appeal.

On the other hand, the learned Additional Public Prosecutor opposed the bail application and contended that the said contentions can very well be argued at the time of final hearing of the appeal. He further submitted that, at the stage of consideration under Section 430(1) of the Bharatiya Nagarik Suraksha Sanhita, 2023, appreciation of evidence is not warranted.

Considering the above submissions and taking note of the fact that the petitioner/ appellant/accused stands convicted under [Section 376\(3\)](#) IPC and sentenced to undergo Rigorous Imprisonment for a period of twenty years and also to pay a fine of Rs.5,000/-, this Court is not inclined to enlarge the petitioner/appellant/accused on bail at this stage.

<https://indiankanoon.org/doc/7342123/>; **APHC010128972026; B Nagulaiah vs State Of AP; Transfer CRLP No.40 of 2026; 16.03.2026**

As noted supra, the material witnesses i.e., the victim and the eye witness are residing within the jurisdiction of the learned II Additional Junior Civil Judge, Tirupathi. On the sole ground that petitioner No.1 is suffering from health issues, the case which is pending for eight years before the learned II Additional Junior Civil Judge, Tirupathi, cannot be transferred to a place which is situated at more than 100 kms. In case, if the present application filed is considered, the victim and all the material witnesses will suffer severe

problems, they have to travel a distance of beyond 100 kms. As noticed supra, on the health ground alone, petitioner No.1 herein is seeking transfer of the case from Tirupathi to Pulivendula. In such circumstances, the criminal case cannot be transferred to some other place which is situated at a distance of more than 100 kms, at the request of accused. The petitioners have to seek their legal remedies before the trial court for condoning their absence if necessity arises.

<https://indiankanoon.org/doc/139022343/>; **Nallagotla Samson VS State of A.P. CRLA 1991/2018; 16.3.2026 (DB) Interim orders**

Learned Public Prosecutor would submit that where there are already criminal antecedents, and the accused is in jail, in respect of the present case (vide CrI.A.No.1991 of 2008 raising out of SC.No.416/2016 on the file of the Principal District and Sessions Judge, Kurnool,) when he was produced on P.T. warrant, issuing of notice under [Section 41-A Cr.P.C./Section 35\(3\)](#) BNSS is not necessary. However, it is clarified that the accused can be taken into legal custody in the case, in respect of which charge sheet is filed under in terms of [Section 229-A](#) IPC and appropriate steps to secure his presence for the purpose of the said case may be taken by the concerned Court. Since the accused is presently in judicial custody as a convicted prisoner, his appearance on his own pursuant to the notice may not arise; hence, his presence can be ensured through legal process.

<https://indiankanoon.org/doc/182826690/>; **Boddu Madhusudhana Reddy vs State Of AP;17.03.2026; APHC010123512026; CRLP1892/2026**

The Criminal Petition has been filed under [Section 482](#) of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for brevity 'the BNSS') by the petitioners/ Accused Nos.2 and 3, for granting of pre-arrest bail in connection with Crime No.15 F.I.R. No.32 of 2026, dated 05.02.2026, on the file of Venkatagiri Police Station, Tirupathi District, for the offence punishable under [Sections 69, 74, 78 \(2\), 351 \(2\), 79, 308 \(2\), 61 \(2\)](#) r/w 3(5) BNS, 3(2)(v) SC ST POA Act.

In the event of any coercive action sought to be taken against the petitioner, concerned police authorities are further directed to scrupulously follow the procedure prescribed under [Section 35 \(3\)](#) of BNSS., [[Section 41-A Cr.P.C](#)] and the guidelines [laid down by](#) the Hon'ble Supreme Court in [Arnesh Kumar's](#) case (supra).

{Sec 69 BNS is punishable with imprisonment which may extend to 10 years; Sec 3(2)(v) of SC & ST (POA) Act applies to offences punishable with 10 years or more}

<https://indiankanoon.org/doc/184481752/>; **CRLA No:1067 OF 2007; 17.03.2026; Jandyala Chandra Sekaram (Died) Per LR's vs State Of A P** Perusal of the evidence of P.W-2, P.W-4 and P.W-5 i.e., Mandal Revenue Officer, Mandal Surveyor and Senior Assistant is not making out any such case to assume or presume such a theory. Prosecution did not put any cross-questions to said witnesses claiming them as hostile witnesses. The Court below also did not put such questions under [Section 165](#) of the Evidence Act. The trial Court developed the said case in favour of the prosecution to say that the plea of the accused that there is no occasion for him to make a demand on 10.03.2004, as he already completed the work on 05.03.2004, is false. It appears that the trial Court pre-concluded that accused committed the offence, and to support that conclusion developed a case not pleaded even by the prosecution.

The admitted facts mentioned above would disclose that the accused completed the work on 05.03.2004, handed over the files to the other staff in the office. In those circumstances, it is highly improbable to say that the accused made demand on 10.03.2004 and received the bribe amount. P.W-1 stated that the accused informed him that he will not do the work till the amount is paid. If it is true the accused will not do the work till 10.03.2004, as he asked P.W-1 to pay amount on that day. In those circumstances, testimony of P.W-1 that the accused demanded him to pay amount and received the amount on 10.03.2004 has no ground to stand. Hence, it is not safe to rely on the sole evidence of P.W-1 for concluding that the accused made demand and received the bribe amount on 10.03.2004.

The prosecution **must fill the gap** between 'may' and 'might' by clear evidence. Convictions should be based on admissible and verifiable evidence rather than hearsay, or surmises.

<https://indiankanoon.org/doc/66567042/>; **APHC010107162026; Jagatap Mahesh Kumar Alias Jashuva vs The State Of Andhra Pradesh; CRIMINAL Revision Case No. 215 of 2026 17.03.2026**

Brief facts of the case are that the Petitioner and others allegedly collected some amounts from the unemployed persons on the promises that they will provide jobs to them. The petitioner /A.1 transferred the amount from his persona Account lying in Saptagiri Grameena Bank, Tadigapada to the Trust account of Bharatiya Grameena Bahula Rasthra Saahakara Paripathi Sangam as per the particulars given to the Trial Court. The income tax officials issued notice to petitioner/A.1. After considering the material evidence and the documents, the Trial Court by order dated 23.02.2026 dismissed the petition observing that the petitioner allegedly cheated the

unemployees on the false promise of providing government jobs and that the amounts present in the accounts of the petitioner is sufficient to distribute to the victims. Aggrieved by the same, the Petitioner /A.1 filed the present Criminal Revision Case.

In that view of the matter, the impugned order dated 23.02.2026 passed in CrI.M.P.No.2051 of 2025 in CC No.3210 of 2023 on the file of the Court of IV Additional Chief Judicial Magistrate-cum-Additional Mahila Magistrate, Vijayawada, is hereby set aside. Except the disputed amount of Rs.58,00,000/-, Petitioner/A.1 is permitted to operate his accounts in HDFC and ICICI Bank for the remaining amounts. The Learned Magistrate is directed to permit the petitioner to operate his account and also permit him to withdraw any amounts in excess of the disputed amount of Rs.58,00,000/-, as stated by the prosecution and also the Fixed Deposits lying in the Court.

https://digi-courts.aphc.ap.gov.in/csis_ap/sdcorderpdf.action; **CRLA 23/2017; NALLA GANESH GANAPATHI Vs State of A.P;** <https://indiankanoon.org/doc/54970054/>; **17.3.2026 (DB) Interim orders.**

The offence is cognizable and non-compoundable. When the accused person is on bail and he jumps bail, the offence in terms of Section 229(A) IPC immediately gets attracted. The said offence is cognizable. Therefore, on information, a case can be registered and investigation can be done and the charge sheet be laid.

8. In the present case, so far no steps are taken. The context of the case makes it necessary to take note of the sad state of affairs and issue proper directions specific to this case and in general to the Director General of Police with an advisory to handle this type of situation.

General Directions:

DGP is advised to issue the following general directions and sensitize all concerned:

10. (i) A register shall be maintained in every Police Station in respect of cases where appearance of the accused directed before the concerned Police Station either by the original Court or by the appellate Court, particularly while granting bail. The register shall contain the following details:

- 1) Crime No.
- 2) Sections under which the case is registered.
timings etc.
- 3) Name of the accused
- 4) Date of bail order
- 5) Bail conditions as to appearance viz. date / day and

- 6) Signature of the accused indicating compliance of conditions, countersigned by the Station House Officer on every date of compliance.
- 7) Any other relevant information.
 - (ii) In the event of non-compliance of conditions, proper steps can be taken for cancellation of bail etc.
 - (iii) If Non-Bailable Warrants are issued by the Court on the ground of jumping bail, a case shall be registered under Section 229(A) IPC/ Section 269 BNS.
 - (iv) There shall be periodical review and persons accountable shall be dealt on administrative side by the Unit Head.
 - (v) The Registry shall communicate this Order to the Director General of Police, Andhra Pradesh.

APHC010078062026; <https://indiankanoon.org/doc/123204840/>; **C Jashwanth vs The State Of Andhra Pradesh on 24 March, 2026;**
CRIMINAL PETITION NOs: 1208 of 2026;

The Petitioners and Respondent No. 2 are present through video conferencing. Respondent No. 2 has filed an affidavit stating that the dispute between the parties has been amicably settled. She further stated that it is not possible for them to live together as husband and wife and that, with the consent of both parties and in the presence of their elders, a mediation/settlement was conducted. In the said settlement, it was agreed that Accused No. 1 paid a sum of Rs. 12,50,000/- towards part and final settlement out of the total agreed amount of Rs. 25,00,000/- to Respondent No. 2 towards permanent alimony/maintenance for her lifetime. Respondent No. 2 has agreed to withdraw the case filed against the accused, as she believes that there is no purpose in continuing the criminal proceedings against the Petitioners/Accused Nos. 1 to 3.

5. She further stated that, in view of her matrimonial prospects and to safeguard her future, and to give quietus to the dispute instead of pursuing litigation before civil and criminal courts, she voluntarily decided to settle the dispute with the Petitioners/Accused Nos.1 to 3 of her own free will, without any force, coercion, or undue influence from any of the Petitioners/Accused Nos.1 to 3.

6. Considering the facts and circumstances of the case and in view of the settlement arrived at between the parties, the Criminal Petition is allowed, and the proceedings in Crime No.12 of 2025 on the file of the Mahila Urban Police Station, Tirupathi, Tirupathi District, are hereby quashed in respect of Petitioners/Accused Nos.1 to 3 only.

NOSTALGIA

Blood group should be substantiated

in Allarakha Habib Memon v. State of Gujarat, [\(2024\) 9 SCC 546](#) expounded that even if the FSL report establishes that the blood group detected on the article recovered at the instance of the accused matches that of the deceased, such circumstance by itself is not sufficient to link the said accused with the crime.

Chain of custody in forwarding the samples for FSL expert Opinion

In Karandeep Sharma alias Razia alias Raju v. State of Uttarakhand, 2025 SCC Online SC 773 this Court emphasised that for a DNA/FSL report to be acceptable and reliable, the prosecution must establish an unbroken chain of custody and demonstrate that the samples remained duly sealed and untampered throughout, and held as follows:

“54. In order to make the DNA report acceptable, reliable and admissible, the prosecution would first be required to prove the sanctity and chain of custody of the samples/articles right from the time of their preparation/collection till the time they reached the FSL. For this purpose, the link evidence would have to be established by examining the concerned witness.

55. Evidently, there is not even a semblance of evidence on record to satisfy the Court that the samples/articles collected from the dead body of the child-victim and those collected from the appellant which were later forwarded to the FSL were properly sealed or that the same remained in a self-same condition right from the time of the seizure till they reached the FSL. No witness from the FSL was examined by the prosecution to prove that the samples/articles were received in a sealed condition. Hence, there is every possibility of the samples being tampered/manipulated by the police officers so as to achieve a favourable result from the FSL, thereby, inculpating the appellant in the crime.”

Girl Friend or Concubine- not family member of Husband

The Hon'ble Apex Court in [U. Suvetha v. State1](#), at paragraph Nos.18 to 24 held as under:

"18. By no stretch of imagination would a girlfriend or even a concubine in an etymological sense be a "relative". The word "relative" brings within its purview a status. Such a status must be conferred either by blood or marriage or adoption. If

no marriage has taken place, the question of one being relative of another would not arise.

19. We may notice that the Andhra Pradesh High Court in [Rajeti Laxmi v. State of A.P.](#) [(2007) 1 DMC 797 (AP)] held as under: (DMC p. 798, para 4) "4. The entire reading of the charge-sheet and the statements of LWs 1 to 7, goes to show that it is nobody's case of the accused or the prosecution that A-6 is the relative of husband of LW 1. She is only concubine of A-1 and having illicit intimacy with him. Therefore, in the absence of any averment in the charge-sheet or any statement that she is a relative of A-1, I am of the opinion that the offence under [Section 498-A](#) IPC does not attract to A-6. Even as per the dictionary meaning 'relative' means a person connected by blood or marriage or 'a species related to another by common origin'. Simply because A-6 is having illicit intimacy with A-1, it cannot be said that she is a relative of A-1. Accordingly, the criminal petition is allowed quashing the proceedings in CC No. 233 of 2004 for the offence under [Section 498-A](#) IPC, against the petitioner A-6. Insofar as the other offences are concerned, it may go on."

20. A learned Single Judge of the Bombay High Court, Bench at Aurangabad, in *Swapnaja v. State of Maharashtra* [Criminal Application No. 388 of 2008 decided on 21-4-2008] opined:

"... Even assuming that due to her extramarital relation with husband of Respondent 2, she is being ill-treated or subjected to harassment by her husband and his relatives, then also it is difficult to say that the applicant is accountable to answer the charge for the offence punishable under [Section 498-A](#) IPC. For, she is not related to husband of Respondent 2 nor can be regarded as the person, who can fall within Explanation (a) or (b) of [Section 498-A](#) IPC."

To the similar effect is the law laid down by the same High Court in [Ranjana Gopalrao Thorat v. State of Maharashtra](#) [2007 Cri LJ 3866 (Bom)] .

21. A learned Single Judge of the Delhi High Court, however, preferred to follow *Shivcharan Lal Verma*⁵ in preference to *Reema Aggarwal*⁶ to hold that precedentially the former is binding on the High Court, stating:

(2009) 6 SCC 757 "Therefore the decision in *Shivcharan Lal Verma*⁵ will clearly take precedence over the decision in *Reema Aggarwal*⁶. That being the case, the arguments advanced by the learned counsel for the petitioners would have to be accepted that the provisions of [Section 498-A](#) IPC would not be attracted inasmuch as the marriage between Mohit Gupta and Shalini was null and void and Mohit Gupta could not be construed as a 'husband' for the purposes of [Section 498-A](#) IPC. Clearly, therefore, the charge under [Section 498-A](#) IPC cannot be framed and the

Metropolitan Magistrate had correctly declined to frame any charges under [Section 498-A](#) IPC."

22. Similar view was taken by a learned Single Judge of the same High Court in *Capt. Rajinder Tiwari v. State (NCT of Delhi)* [Criminal Revision Petition No. 872 of 2006 decided on 14-12-2006] stating:

"9. As already indicated above, insofar as the charge under [Section 498-A](#) IPC is concerned, that issue is no longer open for debate. The same has been decided by this Court in *Mohit Gupta [Mohit Gupta v. State (Govt. of NCT of Delhi)]*, (2006) 3 JCC 1923] applying the ratio of the Supreme Court decision in *Shivcharan Lal Verma*⁵. Since the marriage between Rajinder and Meenakshi was a nullity in view of the pendency of Rajinder's divorce proceedings qua his first wife, the offence under [Section 498-A](#), which is specific to 'husband', would not be maintainable, therefore, the impugned order needs to be corrected on this ground also."

23. We are, however, not oblivious of the fact that a learned Single Judge of the Kerala High Court in *John Idiculla v. State of Kerala* [2005 MLJ (Cri) 841 (Ker)] relying on *Reema Aggarwal*⁶ gave a wider meaning to the word "second wife" to hold:

"25. The test under [Section 498-A](#) IPC is whether in the facts of each case, it is probable that a woman is treated by friends, relatives, husband or society as a 'wife' or as a mere 'mistress'. If from the pleadings and evidence the Court finds that the woman concerned is regarded as wife and not as a mere mistress, she can be considered to be a 'wife' and consequently as 'the relative of the husband' for the purpose of [Section 498-A](#) IPC. Proof of a legal marriage in the rigid sense as required under civil law is unnecessary for establishing an offence under [Section 498-A](#) IPC. The expression 'marriage' or 'relative' can be given only a diluted meaning which a common man or society may attribute to those concepts in the common parlance, for the purpose of [Section 498-A](#) IPC. A second wife who is treated as wife by the husband, relatives, friends or society can be considered to be 'the relative of the husband' for the purpose of [Section 498-A](#) IPC. If she inflicts cruelty on the legally wedded wife of the husband, an offence under [Section 498-A](#) IPC will not lie against her."

APHC010037382026; <https://indiankanoon.org/doc/30520202/>; Lagubeeru Venkata Arun Kiran vs. Union of India and others; 4.2.2026; WP NO.2269/2026; The Andhra Pradesh High Court recently took note of the common trend of the state police of opening Look Out Circulars (LOCs) in a 'mechanical' manner against persons implicated in cases under Section 498-A IPC (now Section 85 BNS).

The Court emphasized that such circulars, which curtail personal liberty, are meant for exceptional cases involving grave offences or threats to national security, not for routine disputes under Section 498-A IPC.

Accused cannot seek CDR of Police Officers before 313 CrPC

The respondent-accused had filed an application before the Trial Court for summoning of the call details of the Seizure Officer and some other police officials for the date of seizure, i.e., 15.02.2019.

The said application was rejected by the Trial Court vide the order dated 03.01.2020, against which the respondent had filed the Miscellaneous Petition, which has been allowed by the High Court vide the impugned order.

In view of the law laid down by the Three Judge Bench in State of Orissa Vs. Debendra Nath Padhi, (supra), we are inclined to accept the present appeal.

In that view of the matter, the impugned order is set aside. The Criminal Appeal stands allowed accordingly.

It is needless to say that the respondent-accused shall be at liberty to file the application at the appropriate stage. It is further clarified that we have not expressed any opinion on the merits of the case.

{Contributed by Smt Nirmala, Addl PP-cum-Spl PP, ACB, Hyderabad}

CRIMINAL APPEAL NO.3831 OF 2025 (@ SPECIAL LEAVE PETITION (CRL.) NO. 11642/2019) PRADEEP KUMAR KESARWANI Vs. THE STATE OF UTTAR PRADESH & ANR.; 2.9.2025

The following steps should ordinarily determine the veracity of a prayer for quashing, raised by an accused by invoking the power vested in the High Court under Section 482 of the Cr.P.C.:-

- (i) Step one, whether the material relied upon by the accused is sound, reasonable, and indubitable, i.e., the materials is of sterling and impeccable quality?
- (ii) Step two, whether the material relied upon by the accused, would rule out the assertions contained in the charges levelled against the accused, i.e., the material is sufficient to reject and overrule the factual assertions contained in the complaint, i.e., the material is such, as would persuade a reasonable person to dismiss and condemn the factual basis of the accusations as false.
- (iii) Step three, whether the material relied upon by the accused, has not been refuted by the prosecution/complainant; and/or the material is such, that it cannot be justifiably refuted by the prosecution/complainant?

(iv) Step four, whether proceeding with the trial would result in an abuse of process of the court, and would not serve the ends of justice?

If the answer to all the steps is in the affirmative, judicial conscience of the High Court should persuade it to quash such criminal – proceedings, in exercise of power vested in it under Section 482 of the Cr.P.C. Such exercise of power, besides doing justice to the accused, would save precious court time, which would otherwise be wasted in holding such a trial (as well as, proceedings arising therefrom) specially when, it is clear that the same would not conclude in the conviction of the accused. [(See: Rajiv Thapar & Ors. v. Madan Lal Kapoor (Criminal Appeal No. 174 of 2013)]

The fact that the complainant thought fit not to even accept the notice issued by this Court is one additional ground that she was not at all serious right from day one i.e. since the time she decided to lodge the complaint.

{Contributed by Sri Ravinder Reddy, Addl SP Retd, ISC, Telangana}

SEELAM NAGAMUNI NAIDU and Ors v. THE STATE OF ANDHRA PRADESH; CRIMINAL PETITION NO: 8982/2024;

The Andhra Pradesh High Court has observed that where neither party seeks to examine a witness whose evidence the Court considers necessary to arrive at a just decision, then the Court can invoke its power to recall or re-examine the witness at any stage of the trial, as contemplated under Section 311 of CrPC r/w Section 165 of Evidence Act, and such power can be exercised even after closure of evidence, including when the matter is reserved for judgment.

It further directed the DGP to issue instructions to all IOs dealing with cases under 302 IPC/103 BNS to ensure – (i) all material facts and circumstances leading to the incident and the events preceding the death are thoroughly verified and placed on record, (ii) timely collection marking of hospital intimations and out-post police intimations, alongwith collection of complete medical records.

Neha Singh v The State of Telangana; Criminal Petition No. 8289 of 2021; DATE: 03.02.2026;

a girlfriend cannot be construed as a “relative” of the man within the meaning of Section 498A of the Indian Penal Code.

NEWS

- APHC-Circular - Courts - Criminal Order dated 15.01.2026 passed in Miscellaneous Application No. 2034 of 2022 in Miscellaneous Application No. 1849 of 2021 in Special Leave Petition (Criminal) No. 5191 of 2021 (Satender Kumar Antil v. Central Bureau of Investigation and another) by the Hon'ble Supreme Court of India - Directed to ensure that all the Under Trial Prisoners are released either by giving the benefit of S.O.P. or by modifying the bail conditions -Reg.
- APHC-Standard Operating Procedure (Sop) For Requesting The Extension Of Time From Hon'ble Supreme Court Of India Or The High Court Of Andhra Pradesh, To Dispose Of The Matters In Which A Time Frame Is Fixed.
- APHC-Establishment - High Court Of Andhra Pradesh - Gazetted - Service Rules Of The High Court Of Andhra Pradesh, 2025
- AP-Home Department – Standard Operating Procedure (SOP) for Coordination between Rescue Teams and Departments for Rehabilitation of Trafficked Persons – Orders – Issued
- TG-Health, Medical & Family Welfare Department - Establishment of (35) Addiction Treatment Facilities (ATFs) at (35) Government Teaching Hospitals in the State to ensure proper treatment of drug users and to strengthen drug demand reduction measures - Standard Operating Procedures (SOPs) - Orders – Issued
- 2-Bromo-4-Methylpropiophenone added to NDPS Act- S.O. 1259(E). MINISTRY OF FINANCE (Department of Revenue) NOTIFICATION New Delhi, the 11th March, 2026
- the Transgender Persons (Protection of Rights) Amendment Act, 2026 published 31.3.2026.

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ON A LIGHTER VEIN

A woman called Santa to fix her doorbell.

Santa didn't come for four days.

The woman called again.

Santa: What can I do? I've been coming to your house for the past four days, ringing the bell, but no one opens the door.

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