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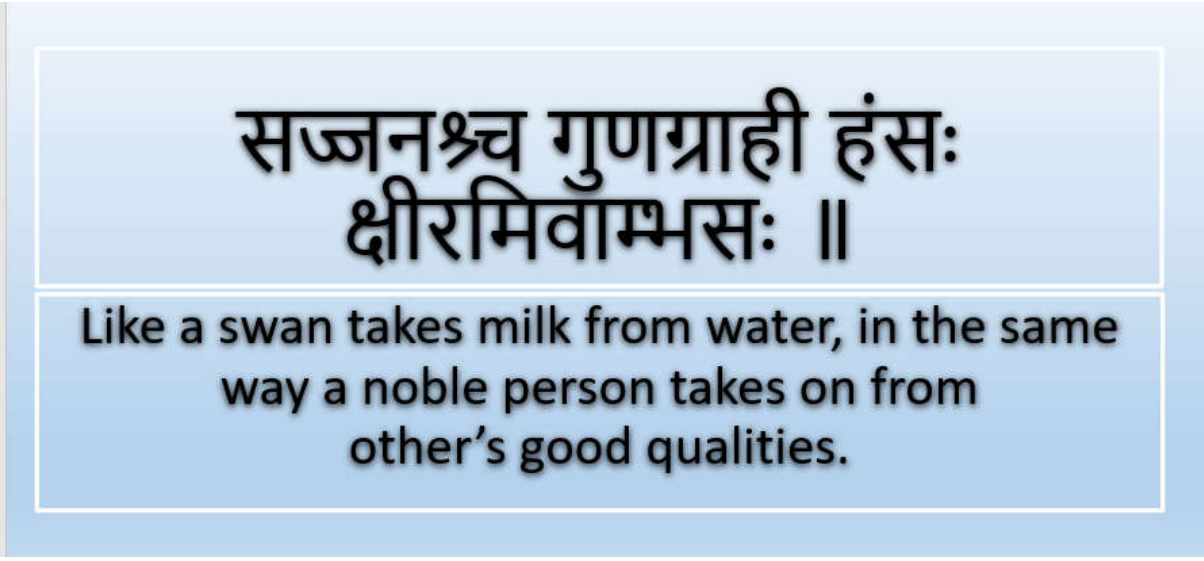
Aano Bhadr Kratvo Yantu Viswatah
(Let Noble Thoughts Come To Me from All Directions)



CITATIONS

2024 0 INSC 583; 2024 0 Supreme(SC) 642; Dharambeer Kumar Singh Vs. The State of Jharkhand and Another; Criminal Appeal No. 3239 of 2024, SLP (Crl.) Nos. 1500, 1660 of 2024; Decided On : 06-08-2024

In our opinion, the High Court failed to appreciate the aspect that admittedly at the relevant time, the appellant was an employee and working for Respondent No. 2 - Santosh Kumar Choudha. The High Court also failed to appreciate the fact that Respondent No. 2 - Santosh Kumar Choudha, was successful in obtaining the tender on the basis of fabricated documents. Though Respondent No. 2 - Santosh Kumar Choudha, was not fulfilling the requisite condition of the experience but by using forged and fabricated documents, he has shown himself before the competent authority to be fulfilling the pre-requisite condition of experience. Thus, Respondent No. 2 - Santosh Kumar Choudha was the ultimate beneficiary of the allotment of the said tender.

At the cost of repetition, we state that admittedly respondents are the beneficiaries and merely because the appellant was an equal mischief player and/or a person having criminal antecedents at his credit by itself will not absolve respondents from the criminal liability as alleged against them. Least to say **"Two wrongs do not make a right."**

https://indiankanoon.org/doc/58451959/; K.Rama Subbaiah vs The State Of Andhra Pradesh And Another on 5 August, 2024; CRLP 7345/2018

the arrested person should be produced within twenty-four hours exclusive of the time taken for journey before the Court which issued the warrant. When such is the law, petitioner should not have detained the complainant/respondent No.2 beyond twenty-four hours in any case. In the present case, the petitioner detained respondent No.2 illegally for three days and produced him before the Magistrate on search warrant issued by the Magistrate, which cannot be treated

as a part of the discharge of his official duty. It is clearly a violation of mandatory provisions provided under law. So also it was not the duty of the petitioner to beat the complainant. Thus, this Court is of the opinion that, there was no nexus between the discharge of the duty by the petitioner and the acts complained against him. Therefore, the law laid down in the said judgments, relied on by the learned counsel for the petitioner, is not in dispute, but the same is not applicable to the present facts of the case.

The law laid down in the said case is not applicable to the present case as the State of Andhra Pradesh through G.O.Ms.No.406, Home (Courts-B) dated 30.04.1974 has extended the application of Section 197 of Cr.P.C. to all the Police Officers including Sub-Inspectors, Head-Constables and Constables by virtue of the powers conferred by Sub-Section (3) of Section 197 of Code of Criminal Procedure.

this Court cannot quash the proceedings by exercising power under Section 482 Cr.P.C due to lack of sanction, as required under Section 197 Cr.P.C. since the law permits the petitioner to raise such contention at any stage and the Court has to decide whether the act done by the petitioner is in relation to his official duties or purported to have been done in relation to official duties only after adducing evidence in the trial. In the present case, the trial is not yet commenced, therefore, at this stage, this Court cannot conclude that the act done by the petitioner was in relation to or purported to have been done in discharge of official duty.

https://indiankanoon.org/doc/14392843/; Sri. Atchala Venkata Reddy vs The State of Andhra Pradesh on 5 August, 2024; CRLP No.4895/2024

When these facts were available in the FIR itself, the failure to incorporate appropriate penal provisions in the FIR can be viewed only as an inefficient way of handling crimes by the investigating police. Failure at one stage can certainly be rectified at a different stage. An investigating officer, finding from facts coming to thinking that certain more penal provisions are available for investigation, he is doing his duty and law has never commanded any procedure for intimation of the same to the learned Magistrate in any advance. The alteration memo is a popular way of seeing the facts but law never permits any change in the FIR itself. What is altered is the application of some more penal provisions to some of the existing penal provisions. They depend on what is gathered during investigation. FIR registered once is registered forever. Therefore, the objection taken by the learned counsel for petitioners that an alteration memo should precede the arrest of these petitioners is one that has to be rejected as such contention has no legal basis.

https://indiankanoon.org/doc/16546116/; Shri Vineet Singh vs The State CBI on 2 August, 2024; I.A.No. 1/2024 in CRLRC no. 620/2024.

Bail is limited liberty. A free citizen loses his full liberty when he is detained and kept in the custody of the court. When he is released on bail, he is kept in the custody by sureties. Thus, in essence, persons on bail are still under the custody of the court.

https://indiankanoon.org/doc/123137747/; Crl.P.8581 of 2022; Syed Maqdoom vs The State Of Telangana And Another on 1 August, 2024;
Having regard to the rival submissions made by both the learned counsel and having gone through the material available on record, it is noticed that the complaint given by respondent No.2 on 03.10.2021 shows that Accused Nos.1 to 3 created fake documents to grab the schedule property and it is also mentioned about the role of Accused No.4 stating that he is also involved in forging the documents.

It is pertinent to note that Section 420 of IPC is applicable when property is delivered by deceived person due to inducement. In the present case the only allegation against the petitioner is that he is a document writer and he also involved in conspiracy along with Accused Nos.1 to 3. But, there is no creation of document by the petitioner. Prima facie, there must be intention on the part of petitioner to cheat respondent No.2 right from the inception and due to such alleged act of cheating, respondent No.2 suffered a lot. In the present case, there are no such allegations against the petitioner. Merely stating that this petitioner also involved in the offence of cheating is not sufficient to constitute offence against him. There are no specific allegations against the petitioner to implicate him in this offence.

Case quashed.

https://indiankanoon.org/doc/176855618/; Nanumasa Veera Bhaskar, vs The State Of Telangana, on 2 August, 2024; CRLP 8489/2024
petitioners being the accused, the Police cannot serve notice under Section 91 Cr.P.C.

https://indiankanoon.org/doc/153373215/; Naveen Kumar Vemula vs The State Of Telangana on 2 August, 2024; CRLP 9862/2023
it is pertinent to note that as per Sections 177 and 188 of Cr.P.C., sanction is necessary only when the case is at the stage of trial. However, the present case is at the stage of investigation, as such, no sanction is required.

Moreover, the daughter of defacto complainant in U.S. Court stated that she has not given any authority to her father to file a complaint, which clearly shows that the defacto complainant filed this complaint without the knowledge of his daughter. That apart, daughter of defacto complainant attended the Court in U.S for divorce proceedings on 27.10.2023 and where she clearly stated that she has not filed any suit in Indian and not authorized her father to file a case in India. Whereas in the 161 Cr.P.C statement recorded by the Police recorded on 27.09.2023, she stated against her husband. From which it is evident that the statement she gave in U.S Court and her 161 Cr.P.C statement are contradictory to each other. When there is no authorisation from his daughter, registering the case against the petitioner is nothing but abuse of process of law. Hence, considering the facts and circumstances of the case, this Court is of the considered opinion that the proceedings against the petitioner are liable to be quashed.

https://indiankanoon.org/doc/88979844/; N.Ravinder vs The State Of Telangana on 2 August, 2024; CRLP No. 4905/2024

Due to revocation of the proceedings under Section 145 of Cr.P.C, the owners and others repeatedly quarreling and threatening the petitioner with dire consequences. Therefore, there is a law and order problem between the landlords and the elder brother as they are quarreling with each other, as such, respondent No.2 again issued the proceedings. Therefore, while issuing the proceedings under Section 145 of Cr.P.C., respondent No.2 considered that the petitioner is a tenant.

https://indiankanoon.org/doc/85641866/; Puram Nagaraju vs The State Of Telangana on 5 August, 2024; CRLA 915/2015, 169/2016 & 356/2017.

this Court finds that the offence clearly falls under culpable offence not under murder i.e., Part 4 of Section 300 I.P.C shall be punished If the person committing the act knows that it is so imminently dangerous that it must, in all probability, cause death, or such bodily injury as is likely to cause death, and commits such act without any excuse for incurring the risk of causing death or such injury as aforesaid. In other words, that the injury found to be present was the injury that was intended to be inflicted.

https://indiankanoon.org/doc/118040258/; Aregalla Rajashekher vs The State Of Telangana on 5 August, 2024; CRLP 8779/2024

This Criminal Petition is filed under Section 482 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') by the petitioner, who are arrayed as accused No.3, seeking to quash the proceedings against him in Crime No.450 of 2024 on the file of Neredmet Police Station, Medchal Malkajgiri District, registered for the alleged offences punishable under Sections 417, 420 and 376(2)(n) of the Indian Penal Code, 1860 and Sections 3(2)(v) of SC/ST (POA) Act, 2015.

Heard Sri Thanneeru Venkat Ratnam, learned counsel for the petitioner and Dr. Surepalli Prashanth, learned Assistant Public Prosecutor for respondent No.1 - State.

As seen from the record, the averments of the petition do not constitute offences under Section 376(2)(n) of IPC. Hence, this Court deems it appropriate to direct the petitioner to appear before the Investigating Officer on or before 19.08.2024 between 11:00 a.m. and 05:00 p.m. and in turn, the Investigating Officer is directed to follow the procedure laid down under Section 41-A Cr.P.C. and also the guidelines formulated by the Hon'ble Supreme Court of India in Arnesh Kumar v. State of Bihar 1 scrupulously. However, the petitioner shall co-operate with the Investigating Officer as and when required by furnishing information and the petitioner shall submit his defense and produce all relevant documents/material required for the purpose of the investigation and the Investigating Officer shall consider the same before filing appropriate report before the learned Magistrate concerned.

https://indiankanoon.org/doc/8543992/; Sunkati Mamatha vs The State Of Telangana on 1 August, 2024;
the Investigating Officer is directed to follow the procedure laid down under Section 41-A Cr.P.C. and also the guidelines formulated by the Hon'ble Supreme Court of India in Arnesh Kumar v. State of Bihar, in a case registered for offences U/s. Sections 386, 420, 468, 471 read with 34 of IPC.
{ Sec 386 IPC is punishable with imprisonment for 10 years}

https://indiankanoon.org/doc/55288478/; Mr. Vasu Deva Reddy, vs The State Of Andhra Pradesh on 1 August, 2024; Criminal Petition No.5026 of 2024
41A CrPC notice directed to be followed in the petition seeking anticipatory bail.

https://indiankanoon.org/doc/71238056/; Mallikarjun , Mallappa, Karnataka vs State Of Telangana, on 5 August, 2024; CRLA 648/2015
Admittedly, father of the child was in the house and it is not the case that somebody else entered into the house and assaulted his daughter. He is physically handicapped. It is stated in the charge sheet that the wife of the accused is not cooperating with him for marital life. As he was physically handicapped, he could not approach prostitute, as such he assaulted his child. At the time of commission of offence, he along with his child was present in the house. It is for him to explain, how she sustained injuries to her private parts, but he failed to do so. Prosecution also examined two more witnesses to connect the accused with the offence. P.Ws.4 & 5 stated that they have seen the accused washing underwear of the child, which contains blood stains, but he stated that she passed stools, as such he washed the same. Even as per the confessional statement made by him under Ex.P4, M.Os.1 to 3 were recovered from him. The trial Court considering the entire evidence on record, arrived to the conclusion that charges framed against the accused were proved beyond reasonable doubt and also convicted him for the offence punishable under Section 376(f)(i)(j)(k) of IPC and Section 6 R/w.5(i)(m)(n) of Protection of Children from Sexual Offences Act. It is no doubt true that a father who is in a dominant position and who has to take care of his minor child, committed sexual assault on the child and thus he was already convicted and is in jail for more than 9 years. Court has to look into other relevant aspects which are necessary for modification of offence. Admittedly, accused is disabled and suffering from Polio. His wife was not co-operating with him for leading sexual life. He cannot approach prostitutes to satisfy his lust in view of his disability. Daughter/victim died subsequently. Wife deserted him and left to her parent's house at another state. The object of POCSO is to protect minor children from sexual assault either at home or outside and hence stringent punishments are provided in it. No one is born as a criminal, surrounding circumstances make him a criminal and Courts should not shut its eyes on other sociological surrounding circumstances lead to the cause of crime.
Punishment reduced to imprisonment already undergone.

https://indiankanoon.org/doc/120410278/; Bysani Nanda Kiran, Kadapa Dt. vs State Of A.P., Rep. By P.P., Hyd Anr on 5 August, 2024; CRLP 16313/2014

when respondent No. 2 was in need of money for family necessities, she wanted to dispose of the two house plots and she approached brokers who advised her to obtain encumbrance certificates. When respondent No. 2 obtained encumbrance certificates, it came to light that both the house plots were sold by husband of accused No. 1 by name Bysani Krishna Murthy during his lifetime on 16-05-1988 vide document No. 1283 of 1988 of S.R.O., Proddatur. It is also alleged that accused No. 1, being fully aware of the above sale by her husband during his lifetime, deceitfully sold the house plots to respondent No. 2. After completion of investigation, the police filed charge sheet against accused No. 1 as well as accused No. 2 who is the petitioner herein.

A perusal of the material available on record would show that even in the charge sheet also, the police have clearly stated that respondent No. 2 paid entire sale consideration to accused No. 1 who executed registered sale deeds in her favour. The only allegation made against the petitioner-accused No. 2 is that on 24-10-2009, both accused Nos. 1 and 2 approached respondent No. 2 offering to sell the house plots. The said allegation is absent in the complaint filed by respondent No. 2. As seen from the complaint of respondent No. 2, nothing has been attributed to the petitioner-accused No. 2. In view of the above facts and circumstances, continuation of proceedings against the petitioner-accused No. 2 is nothing but abuse of process of law.

2024 0 INSC 600; 2024 0 Supreme(SC) 656; Mahendra Kumar Sonker Vs. The State of Madhya Pradesh; Criminal Appeal No. 520 of 2012; 12-08-2024 (Three Judge Bench)

To take cognizance of Section 186, the procedure under Section 195(1)(a)(i) of the Cr.P.C. ought to have been followed. There is not even a complaint by the officer against the appellant for any offence having been committed under Section 186 of the IPC.

there is no evidence to indicate that the accused assaulted or used criminal force on the trap party in execution of their duties or for the purpose of preventing or deterring them in discharging their duties. In short, none of the ingredients of Section 353 are attracted. The jostling and pushing by the accused with an attempt to wriggle out, as is clear from the evidence, was not with any intention to assault or use criminal force.

2024 0 INSC 604; 2024 0 Supreme(SC) 660; Jalaluddin Khan Vs. Union of India; Criminal Appeal No. 3173 of 2024; Decided On : 13-08-2024

When a case is made out for a grant of bail, the Courts should not have any hesitation in granting bail. The allegations of the prosecution may be very serious. But, the duty of the Courts is to consider the case for grant of bail in accordance with the law. “Bail is the rule and jail is an exception” is a settled law. Even in a case like the present case where there are stringent conditions for the grant of bail in the relevant statutes, the same rule holds good with only

modification that the bail can be granted if the conditions in the statute are satisfied. The rule also means that once a case is made out for the grant of bail, the Court cannot decline to grant bail. If the Courts start denying bail in deserving cases, it will be a violation of the rights guaranteed under Article 21 of our Constitution.

2024 0 INSC 601; 2024 0 Supreme(SC) 663; James Kunjwal vs. State Of Uttarakhand & Anr.; Criminal Appeal No. 3350 of 2024 (Arising out of SLP(Crl.) No.9783 of 2023); Decided On : 13-08-2024 (THREE JUDGE BENCH)

The three essential factors which can be said to be sine qua non for the application of Section 193 IPC as held in Bhima Razu Prasad v. State Rep. by Deputy Supdt. of Police, CBI/SPE/ACU-II, (2021) 19 SCC 25 are :-

(1) false statement made on oath or in affidavits;
(2) that such statements be made in a judicial proceeding; or
(3) such statement be made before an authority that has been expressly deemed to be a 'Court'.

16. What we may conclude from a perusal of the above-noticed judicial pronouncements is that:-

(i) The Court should be of the prima facie opinion that there exists sufficient and reasonable ground to initiate proceedings against the person who has allegedly made a false statement(s);
(ii) Such proceedings should be initiated when doing the same is "expedient in the interests of justice to punish the delinquent" and not merely because of inaccuracy in statements that may be innocent/immaterial;
(iii) There should be "deliberate falsehood on a matter of substance";
(iv) The Court should be satisfied that there is a reasonable foundation for the charge, with distinct evidence and not mere suspicion;
(v) Proceedings should be initiated in exceptional circumstances, for instance, when a party has perjured themselves to beneficial orders from the Court.

https://indiankanoon.org/doc/126544114/; Pinnelli Rama Krishna Reddy vs The State Of Andhra Pradesh on 14 August, 2024; CRLP 5388 & 5389/2024

In the matters of bail hearing, the question that has now arisen is whether it is offence centric or offender centric that has to be followed. With a view to maintain consistency in the orders pertaining to bail, it has been consistently ruled by the Hon'ble Supreme Court of India that all bail applications arising out of the same FIR have to be listed before the same Judge. The need, necessity and the practice to be adopted have been dealt with and principles have been laid down in

1. Kusha Duraka V. The State of Odisha
2. Rajapaul V. State of Rajasthan
3. Pradhyani V. State of Odisha (2024) 1 SCC 185
4. Himanshu Sharma V. State of Madhya Pradesh

https://indiankanoon.org/doc/64396642/; Tripurana Venkata Hemanth Kumar vs The State Of Telangana on 13 August, 2024;CRLP 6897/2024
Having regard to the rival submissions and the material placed on record, the alleged offences leveled against the petitioner are under Sections 353, 188, 290 and 269 of I.P.C, Section 3 of the Act, 1897, and Section 51 (B) of the Act, 2005. There is no dispute that for registering the case under Section 188 of I.P.C, there is bar under Section 195 (2) (d) of Cr.P.C. Further, there is no dispute that for registering the case under Section 51 (B) of the Act, 2005, there is bar under Section 60 of the Act, 2005, whereas the contention of learned counsel for the petitioner is that when there is bar under Section 195 (1) (a) (i) of Cr.P.C, the other offences alleged are also not maintainable and relied on the judgment in Bandekar's case supra, wherein in para 44 it was observed as follows :
"Equally important to remember that if in the course of the same transaction two separate offences are made out, for one of which section 195 of Cr.P.C, is not attracted and it is not possible to split them up, the drill of section 195 (1) (b) Cr.P.C, must be followed."
8. In the present case, the offences alleged arise out of the same incident as the petitioner violated the restrictions imposed by the Government during the pandemic period i.e., lockdown in the State, wherein, the people should cooperate with the police and shall not obstruct the duties of police. In view of the observations made in the above judgment, as the offences alleged arise out of the same incident, the other offences cannot be spilt up, as the bar applies to Section 353 of I.P.C also. As such, in view of the bar under Section 195 (1) (a) (i) of Cr.P.C, the proceedings initiated against the petitioner in C.C.No.1616 of 2020 are liable to be quashed.

https://indiankanoon.org/doc/38004785/; Makkena Sagar, vs The State Of Andhra Pradesh, on 12 August, 2024; CRLP 5021/2024 & CRLP 4961/2024
S.C(SPL) No.167 of 2023 on the file of the court of IV Additional District & Sessions Judge-cum-SC ST Court, Guntur, against the petitioners herein/ Accused Nos.1 to 5 are hereby quashed, basing on the compromise between the parties.

https://indiankanoon.org/doc/100976115/; Muniyandi Ajith vs The State Of Andhra Pradesh on 14 August, 2024; CRIMINAL PETITION No.5067 of 2024 Date: 14.08.2024;
A learned Judge of this Court in Bodnayak Ravi v. State of Andhra Pradesh2 held that where the contraband is less than 20 kgs., it is more than small quantity and less than commercial quantity and in terms of Section 36A of the NDPS Act read with Section 167 of Cr.P.C., if the investigation is not completed within 60 days, the accused shall be released on bail. The said ruling squarely applies to the present facts. In these circumstances, prayer is granted.

https://indiankanoon.org/doc/43830475/; Gadi Santosh vs The State Of Andhra Pradesh on 13 August, 2024; CRIMINAL PETITION No.5000 of 2024 Date: 13.08.2024

This petitioner was caught driving a car having 30 Kgs of Ganja. At the same time, the other petitioners who were granted bail by this court were not found with any contraband and the allegations against them was that they were only pilots. As the record indicates, there are several other accused who are engaged in this nefarious trade and the investigation is still under progress, the innocence claimed by the petitioner does not stand to scrutiny when the court has seen through section 37 of the NDPS Act. Therefore, there is no merit in this petition.

2024 0 INSC 625; 2024 0 Supreme(SC) 688; Shajan Skaria Vs. The State of Kerala & Anr.; Criminal Appeal No. 2622 OF 2024 (Arising Out Of SLP (Crl.) No. 8081 of 2023); Decided On : 23-08-2024

A penal statute must receive strict construction. A principle of statutory interpretation embodies the policy of the law, which is in turn based on public policy. The court presumes, unless the contrary intention appears, that the legislator intended to conform to this legal policy. A principle of statutory interpretation can, therefore, be described as a principle of legal policy formulated as a guide to the legislative intention.

83. Maxwell in The Interpretation of Statutes (12th Edn.) has observed that "the strict construction of penal statutes seems to manifest itself in four ways: in the requirement of express language for the creation of an offence; in interpreting strictly words setting out the elements of an offence; in requiring the fulfilment to the letter of statutory conditions precedent to the infliction of punishment; and in insisting on the strict observance of technical provisions concerning criminal procedure and jurisdiction."

84. William F. Craies in Statute Law (7th Edn. at p. 530) while referring to U.S. v. Wiltberger [5 L Ed 37 : 18 US (5 Wheat.) 76 (1820)] observes thus:

> "The distinction between a strict construction and a more free one has, no doubt, in modern times almost disappeared, and the question now is, what is the true construction of the statute? I should say that in a criminal statute you must be quite sure that the offence charged is within the letter of the law. This rule is said to be founded on the tenderness of the law for the rights of individuals, and on the plain principle that the power of punishment is vested in the legislature, and not in the judicial department, for it is the legislature, not the court, which is to define a crime and ordain its punishment."
>
> (Emphasis supplied)

85. In Tuck & Sons v. Priester reported in (1887) 19 QBD 629 (CA), which was followed in London and Country Commercial Properties Investments Ltd. v. Attorney General reported in (1953) 1 WLR 312 : (1953) 1 All ER 436, it was observed thus:

> "We must be very careful in construing that section, because it imposes a penalty. If there is a reasonable interpretation, which will avoid the penalty

in any particular case, we must adopt that construction. Unless penalties are imposed in clear terms, they are not enforceable. Also, where various interpretations of a section are admissible it is a strong reason against adopting a particular interpretation if it shall appear that the result would be unreasonable or oppressive."

(Emphasis supplied)

86. Blackburn, J. in Willis v. Thorp reported in (1875) LR 10 QB 383 observed that "when the legislature imposes a penalty, the words imposing it must be clear and distinct."

2024 0 INSC 626; 2024 0 Supreme(SC) 689; Delhi Race Club (1940) Ltd. & Ors. Vs. State of Uttar Pradesh & Anr.; Criminal Appeal No. 3114 of 2024; Decided On : 23-08-2024

there is no manner of any doubt whatsoever that in case of sale of goods, the property passes to the purchaser from the seller when the goods are delivered. Once the property in the goods passes to the purchaser, it cannot be said that the purchaser was entrusted with the property of the seller. Without entrustment of property, there cannot be any criminal breach of trust. Thus, prosecution of cases on charge of criminal breach of trust, for failure to pay the consideration amount in case of sale of goods is flawed to the core. There can be civil remedy for the non-payment of the consideration amount, but no criminal case will be maintainable

It is indeed very sad to note that even after these many years, the courts have not been able to understand the fine distinction between criminal breach of trust and cheating.

42. When dealing with a private complaint, the law enjoins upon the magistrate a duty to meticulously examine the contents of the complaint so as to determine whether the offence of cheating or criminal breach of trust as the case may be is made out from the averments made in the complaint. The magistrate must carefully apply its mind to ascertain whether the allegations, as stated, genuinely constitute these specific offences. In contrast, when a case arises from a FIR, this responsibility is of the police – to thoroughly ascertain whether the allegations levelled by the informant indeed falls under the category of cheating or criminal breach of trust. Unfortunately, it has become a common practice for the police officers to routinely and mechanically proceed to register an FIR for both the offences i.e. criminal breach of trust and cheating on a mere allegation of some dishonesty or fraud, without any proper application of mind.

43. It is high time that the police officers across the country are imparted proper training in law so as to understand the fine distinction between the offence of cheating viz-a-viz criminal breach of trust. Both offences are independent and distinct. The two offences cannot coexist simultaneously in the same set of facts. They are antithetical to each other. The two provisions of the IPC (now BNS, 2023) are not twins that they cannot survive without each other.

2024 0 INSC 637; 2024 0 Supreme(SC) 710; Prem Prakash Vs. Union of India Through The Directorate of Enforcement; Criminal Appeal No. 3572 of 2024 (@ SLP (Crl.) No. 5416/2024); Decided on : 28-08-2024

We have no hesitation in holding that when an accused is in custody under PMLA irrespective of the case for which he is under custody, any statement under Section 50 PMLA to the same Investigating Agency is inadmissible against the maker. The reason being that the person in custody pursuant to the proceeding investigated by the same Investigating Agency is not a person who can be considered as one operating with a free mind. It will be extremely unsafe to render such statements admissible against the maker, as such a course of action would be contrary to all canons of fair play and justice.

Being a co-accused with the appellant, his statement against the appellant assuming there is anything incriminating against the present appellant will not have the character of substantive evidence. The prosecution cannot start with such a statement to establish its case. We hold that, in such a situation, the law laid down under Section 30 of the Evidence Act by this Court while dealing with the confession of the co-accused will continue to apply. In Kashmira Singh vs. State of Madhya Pradesh, [1952] SCR 526, this Court neatly summarized the principle as under:-

> "…. The proper way to approach a case of this kind is, first, to marshal the evidence against the accused excluding the confession altogether from consideration and see whether, if it is believed, a conviction could safely be based on it. If it is capable of belief independently of the confession, then of course it is not necessary to call the confession in aid. But cases may arise where the judge is not prepared to act on the other evidence as it stands even though, if believed, it would be sufficient to sustain a conviction. In such an event the judge may call in aid the confession and use it to lend assurance to the other evidence and thus fortify himself in believing what without the aid of the confession he would not be prepared to accept."

2024 0 INSC 639; 2024 0 Supreme(SC) 712; Mulakala Malleshwara Rao and Another Vs. State of Telangana and Another; Criminal Appeal No. 3599 of 2024, Arising Out of Special Leave Petition (Crl.) No. 3981 of 2023; Decided On : 29-08-2024

Another ground on which the charge fails is that, apart from a statement of the complainant that the 'stridhan' is with the former in-laws of his daughter, there is nothing on record to substantiate the factum of possession actually being with the appellants. In Bobbili Ramakrishna Raja Yadad and Others vs. State of Andhra Pradesh, (2016) 3 SCC 309 this Court has held that giving dowry and traditional presents at the time of the wedding does not raise a presumption that such articles are thereby entrusted to the parents-in-law so as to attract the ingredients of Section 6 of the Dowry Prohibition Act, 1961.

We may further observe that the object of criminal proceedings is to bring a wrongdoer to justice, and it is not a means to get revenge or seek a vendetta

against persons with whom the complainant may have a grudge. The principle in law that delay in filing the FIR has to be satisfactorily explained and does not need any reiteration

2024 0 INSC 642; 2024 0 Supreme(SC) 715; K. Ravi Vs. State Of Tamil Nadu & Anr.; Criminal Appeal No. 3598 of 2024 (@ Special Leave Petition (Crl.) No.2029 of 2018; Decided on : 29-08-2024

It is trite to say that Section 216 is an enabling provision which enables the court to alter or add to any charge at any time before judgment is pronounced, and if any alternation or addition to a charge is made, the court has to follow the procedure as contained therein. Section 216 does not give any right to the accused to file a fresh application seeking his discharge after the charge is framed by the court, more particularly when his application seeking discharge under Section 227 has already been dismissed. Unfortunately, such applications are being filed in the trial courts sometimes in ignorance of law and sometimes deliberately to delay the proceedings. Once such applications though untenable are filed, the trial courts have no alternative but to decide them, and then again such orders would be challenged before the higher courts, and the whole criminal trial would get derailed. Suffice it to say that such practice is highly deplorable, and if followed, should be dealt with sternly by the courts.

https://indiankanoon.org/doc/13387660/; Shiva Keshava Babu Shivakeshavulu vs The State Of Telangana And Another on 28 August, 2024; CRLP 87 & 94 of 2021

Merely because there is land dispute between the parties, the criminal acts alleged to have been committed by the petitioners cannot be ignored, as there is scope for committing criminal offences relating to the properties also and the persons accused of criminal acts relating to the properties cannot take shelter on the ground that it is a civil dispute.

https://indiankanoon.org/doc/11491590/; Mohd. Sanabir Alias Shah Khan vs The State Of Telangana, on 27 August, 2024; CRC 899/2024

Learned counsel for the petitioner submitted that the petitioner was charged for the offences punishable under Sections 189, 196(1), 132, 333, 352, 351(2) read with 190 of BNS and all the offences are below seven (7) years. He further submitted that instead of issuing of notice under Section 35 (3) of BNSS, the Investigating Officer produced the petitioner before the trial Court for remand and the trial Court accepted the reasons stated by the Investigating Officer and remanded the petitioner to judicial custody, which is not in accordance with law.

Per contra, learned Assistant Public Prosecutor submitted that though the alleged offences against the petitioner are below seven years and the same are serious in nature. She further submitted that the petitioner is a habitual offender, as such, Police custody is required for further investigation and that the interrogation was not done by the Police before arrest. Further there is a clear allegation that petitioner threatened the apartment people by giving religious slogans. Further, accused No.2 is absconding. Therefore, there is no illegality

in the order of the trial Court and she prayed the Court to dismiss the criminal petition.
In the result, the Criminal Revision Case is allowed setting aside the order dated 24.08.2024 passed in Crl.M.P.No.3486 of 2024 in Crime No.282 of 2024 by the learned XII Additional Chief Judicial Magistrate, Hyderabad. However, the Police are directed to produce the petitioner/accused before the concerned Court. Further, the concerned Court shall remand the Petitioner/accused to Judicial Custody.

https://indiankanoon.org/doc/9745316/; Anthati Paramesh, vs The State Of Ap Rep By Its Pp Hyd., on 30 August, 2024; CRC 1981/2009
Though, there cannot be any direct formula or set standards to determine whether the consent given by victim was voluntary or under mis-conception of fact, however it differs from case to case. It is apparent that the physical relation prior to pregnancy and during pregnancy was with the consent of the victim girl and the complaint was filed only for the reason of accused refusing marriage with PW.2. It cannot be said that the sexual intercourse in between accused and victim girl constitutes offence of rape. There may be several reasons for which the marriage with the victim was refused though it was initially accepted. According to the witnesses, when she was pregnant, there was acceptance of marriage, however, after delivering the boy, the boy died and the marriage proposal was refused. It cannot be said that the accused had any fraudulent intention from the inception of the relationship to attract the ingredients of cheating.

NOSTALGIA

Stolen Property
the Hon'ble Supreme Court, to decide the matter in issue, in Shiv Kumar v. State of Madhya Pradesh {(2022) 9 SCC 676}, wherein it was held that "for successful prosecution under Section 411, it is not enough to prove that the accused was either negligent or that he had a cause to think that property was stolen, or that he failed to make enough inquiries to comprehend nature of goods procured by him and further initial possession of goods in question may not be illegal but retaining those with knowledge that it was stolen property, makes it culpable."

498A Case- family members of husband
in view of the judgment in Preethi Gupta Vs State of Jharkand {(2010) 7 SCC 667} and Kahkashan Kausar @ Sonam and others Vs State of Bihar and others { (2022) 6 Supreme Court Cases 599} the relatives of the husband/accused who are not residing in the house of A.1 cannot be roped into only on omnibus allegations.

304 or 302 IPC
The Apex Court in Pulicherla Nagaraju @ Nagaraja Reddy vs State of Andhra Pradesh AIR 2006 SC 3010, held as under:

"Therefore, the court should proceed to decide the pivotal question of intention, with care and caution, as that will decide whether the case falls under Section 302 or 304 Part I or 304 Part ll. Many petty or insignificant matters - plucking of a fruit, straying of cattle, quarrel of children, utterance of a rude word or even an objectionable glance, may lead to altercations and group clashes culminating in deaths. Usual motives like revenge, greed, jealousy or suspicion may be totally absent in such cases. There may be no intention. There may be no premeditation. In fact, there may not even be criminality. At the other end of the spectrum, there may be cases of murder where the accused attempts to avoid the penalty for murder by attempting to put forth a case that there was no intention to cause death.

It is for the courts to ensure that the cases of murder punishable under Section 302, are not converted into offences punishable under Section 304 Part I/II, or cases of culpable homicide not amounting to murder, are treated as murder punishable under Section 302.

The intention to cause death can be gathered generally from a combination of a few or several of the following, among other, circumstances:

(i) nature of the weapon used;
(ii) whether the weapon was carried by the accused or was picked up from the spot;
(iii) whether the blow is aimed at a vital part of the body;
(iv) the amount of force employed in causing injury;
(v) whether the act was in the course of sudden quarrel or sudden fight or free for all fight;
(vi) whether the incident occurs by chance or whether there was any premeditation;
(vii) whether there was any prior enmity or whether the deceased was a stranger;
(viii) whether there was any grave and sudden provocation, and if so, the cause for such provocation;
(ix) whether it was in the heat of passion;
(x) whether the person inflicting the injury has taken undue advantage or has acted in a cruel and unusual manner;
(xi) whether the accused dealt a single blow or several blows.

The above list of circumstances is, of course, not exhaustive and there may be several other special circumstances reference to individual cases which may throw light on the question of intention. Be that as it may."

43D(5) UAPA- Considerations for Bail

in the case of Gurwinder Singh vs. State of Punjab and Another, (2024) 5 SCC 403. This Court extensively considered its earlier decision in the case of National Investigation Agency vs. Zahoor Ahmad Shah Watali, (2019) 5 SCC 1 which deals with interpretation of Section 43D(5). Paragraph 32 of the said decision reads thus:

> "32. In this regard, we need to look no further than [NIA vs. Zahoor Ahmad Shah Watali, (2019) 5 SCC 1 : (2019) 2 SCC (Cri) 383] which has laid down elaborate

guidelines on the approach that courts must partake in, in their application of the bail limitations under the UAP Act. On a perusal of Paras 23 to 24 and 26 to 27, the following 8-point propositions emerge and they are summarised as follows:

32.1. Meaning of "prima facie true."

On the face of it, the materials must show the complicity of the accused in commission of the offence. The materials/evidence must be good and sufficient to establish a given fact or chain of facts constituting the stated offence, unless rebutted or contradicted by other evidence.

32.2. Degree of satisfaction at pre chargesheet, post charge-sheet and post-charges: compared:

"26.....once charges are framed, it would be safe to assume that a very strong suspicion was founded upon the materials before the Court, which prompted the Court to form a presumptive opinion as to the existence of the factual ingredients constituting the offence alleged against the accused, to justify the framing of charge. In that situation, the accused may have to undertake an arduous task to satisfy the Court that despite the framing of charge, the materials presented along with the charge-sheet (report under Section 173 of Cr.P.C.) do not make out reasonable grounds for believing that the accusation against him is prima facie true. Similar opinion is required to be formed by the Court whilst considering the prayer for bail, made after filing of the first report made under Section 173 of the Code, as in the present case."

32.3. Reasoning, necessary but no detailed evaluation of evidence:

"24.....the exercise to be undertaken by the Court at this stage-of giving reasons for grant or non-grant of bail-is markedly different from discussing merits or demerits of the evidence. The elaborate examination or dissection of the evidence is not required to be done at this stage."

32.4. Record a finding on broad probabilities, not based on proof beyond doubt:

"The Court is merely expected to record a finding on the basis of broad probabilities regarding the involvement of the accused in the commission of the stated offence or otherwise."

32.5. Duration of the limitation under Section 43-D(5):

"26.....the special provision, Section 43-D of the 1967 Act, applies right from the stage of registration of FIR for the offences under Chapters IV and VI of the 1967 Act until the conclusion of the trial thereof."

32.6. Material on record must be analysed as a "whole" no piecemeal analysis

"27.....the totality of the material gathered by the investigating agency and presented along with the report and including the case diary, is required to be reckoned and not by analysing individual pieces of evidence or circumstance."

32.7. Contents of documents to be presumed as true:

"27.....The Court must look at the contents of the document and take such document into account as it is."

32.8. Admissibility of documents relied upon by prosecution cannot be questioned:

> The materials/evidence collected by the investigation agency in support of the accusation against the accused in the first information report must prevail until contradicted and overcome or disproved by other evidence…. In any case, the question of discarding the document at this stage, on the ground of being inadmissible in evidence, is not permissible."

There is one more decision of this Court in the case of Thwaha Fasal vs. Union of India, (2022) 14 SCC 766 which again deals with the scope of Section 43D(5) of UAPA. After considering the decision in the case of Zahoor Ahmad Shah Watali3, in fact, in paragraph 24, the case has been extensively reproduced. Thereafter, in paragraph 26, this Court held thus:

> "26. Therefore, while deciding a bail petition filed by an accused against whom offences under Chapters IV and VI of the 1967 Act have been alleged, the court has to consider whether there are reasonable grounds for believing that the accusation against the accused is prima facie true. If the court is satisfied after examining the material on record that there are no reasonable grounds for believing that the accusation against the accused is prima facie true, then the accused is entitled to bail. Thus, the scope of inquiry is to decide whether prima facie material is available against the accused of commission of the offences alleged under Chapters IV and VI. The grounds for believing that the accusation against the accused is prima facie true must be reasonable grounds. However, the court while examining the issue of prima facie case as required by subsection (5) of Section 43-D is not expected to hold a mini trial. The court is not supposed to examine the merits and demerits of the evidence. If a charge-sheet is already filed, the court has to examine the material forming a part of charge-sheet for deciding the issue whether there are reasonable grounds for believing that the accusation against such a person is prima facie true. While doing so, the court has to take the material in the charge-sheet as it is."

Use of Case Diary

In Md. Ankoos & Ors. Vs. The Public Prosecutor, High Court of A.P. 2009(7) Supreme 231;

A criminal court can use the case diary in the aid of any inquiry or trial but not as an evidence. This position is made clear by Section 172(2) of the Code. Section 172(3) places restrictions upon the use of case diary by providing that accused has no right to call for the case diary but if it is used by the police officer who made the entries for refreshing his memory or if the Court uses it for the purpose of contradicting such police officer, it will be so done in the manner provided in ection 161 of the Code and Section 145 of the Evidence Act. Court's power to consider the case diary is not unfettered. In light of the inhibitions contained in Section 172(2), it is not open to the Court to place reliance on the case diary as a piece of evidence directly or indirectly. This Court had an occasion to consider Section 172 of the Code vis-'-vis Section145 of the Evidence Act and Section 162 of the Code in the case of Mahabir Singh v. State of Haryana,2 (2001) 7 SCC 148. and it was stated as follows:

"14. A reading of the said sub-sections makes the position clear that the discretion given to the court to use such diaries is only for aiding the court to decide on a point. It is made abundantly clear in sub-section (2) itself that the court is forbidden from using the entries of such diaries as evidence. What cannot be used as evidence against the accused cannot be used in any other manner against him. If the court uses the entries in a case diary for contradicting a police officer it should be done only in the manner provided in Section 145 of the Evidence Act i.e. by giving the author of the statement an opportunity to explain the contradiction, after his attention is called to that part of the statement which is intended to be so used for contradiction. In other words, the power conferred on the court for perusal of the diary under Section 172 of the Code is not intended for explaining a contradiction which the defence has winched to the fore through the channel permitted by law. The interdict contained in Section 162 of the Code, debars the court from using the power under Section 172 of the Code for the purpose of explaining the contradiction."

BAIL

Courts while granting bail are required to consider relevant factors such as nature of the accusation, role ascribed to the accused concerned, possibilities/chances of tampering with the evidence and/or witnesses, antecedents, flight risk et al. Speaking through Hima Kohli, J., the present coram in Ajwar v Waseem, 2024 SCC OnLine SC 974, apropos relevant parameters for granting bail, observed:

> "26. While considering as to whether bail ought to be granted in a matter involving a serious criminal offence, the Court must consider relevant factors like the nature of the accusations made against the accused, the manner in which the crime is alleged to have been committed, the gravity of the offence, the role attributed to the accused, the criminal antecedents of the accused, the probability of tampering of the witnesses and repeating the offence, if the accused are released on bail, the likelihood of the accused being unavailable in the event bail is granted, the possibility of obstructing the proceedings and evading the courts of justice and the overall desirability of releasing the accused on bail. (Refer: Chaman Lal v. State of U.P., (2004) 7 SCC 525; Kalyan Chandra Sarkar v. Rajesh Ranjan alias Pappu Yadav (supra), (2004) 7 SCC 528; Masroor v. State of Uttar Pradesh, (2009) 14 SCC 286; Prasanta Kumar Sarkar v. Ashis Chatterjee, (2010) 14 SCC 496; Neeru Yadav v. State of Uttar Pradesh, (2014) 16 SCC 508.; Anil Kumar Yadav v. State (NCT of Delhi), (2018) 12 SCC 129; Mahipal v. Rajesh Kumar @ Polia (supra), (2020) 2 SCC 118.
>
> 27. It is equally well settled that bail once granted, ought not to be cancelled in a mechanical manner. However, an unreasoned or perverse order of bail is always open to interference by the superior Court. If there are serious allegations against the accused, even if he has not misused the bail granted to him, such an order can be cancelled by the same Court that has granted the bail. Bail can also be revoked by a superior Court if it transpires that the courts below have ignored the relevant material available on record or not looked into the gravity of the offence or the

impact on the society resulting in such an order. In P v. State of Madhya Pradesh (supra) (2022) 15 SCR 211 decided by a three judges bench of this Court [authored by one of us (Hima Kohli, J)] has spelt out the considerations that must weigh with the Court for interfering in an order granting bail to an accused under Section 439(1)of the CrPC in the following words:

"24. As can be discerned from the above decisions, for cancelling bail once granted, the court must consider whether any supervening circumstances have arisen or the conduct of the accused post grant of bail demonstrates that it is no longer conducive to a fair trial to permit him to retain his freedom by enjoying the concession of bail during trial [Dolat Ram v. State of Haryana, (1995) 1 SCC 349 : 1995 SCC (Cri) 237]. To put it differently, in ordinary circumstances, this Court would be loathe to interfere with an order passed by the court below granting bail but if such an order is found to be illegal or perverse or premised on material that is irrelevant, then such an order is susceptible to scrutiny and interference by the appellate court."" (emphasis supplied)

20. In State of Haryana v Dharamraj, 2023 SCC OnLine 1085, speaking through one of us (Ahsanuddin Amanullah, J.), the Court, while setting aside an order of the Punjab and Haryana High Court granting (anticipatory) bail, discussed and reasoned:

"7. A foray, albeit brief, into relevant precedents is warranted. This Court considered the factors to guide grant of bail in Ram Govind Upadhyay v. Sudarshan Singh, (2002) 3 SCC 598 and Kalyan Chandra Sarkar v. Rajesh Ranjan, (2004) 7 SCC 528. In Prasanta Kumar Sarkar v. Ashis Chatterjee, (2010) 14 SCC 496, the relevant principles were restated thus:

'9. … It is trite that this Court does not, normally, interfere with an order passed by the High Court granting or rejecting bail to the accused. However, it is equally incumbent upon the High Court to exercise its discretion judiciously, cautiously and strictly in compliance with the basic principles laid down in a plethora of decisions of this Court on the point. It is well settled that, among other circumstances, the factors to be borne in mind while considering an application for bail are:

(i) whether there is any prima facie or reasonable ground to believe that the accused had committed the offence;

(ii) nature and gravity of the accusation;

(iii) severity of the punishment in the event of conviction;

(iv) danger of the accused absconding or fleeing, if released on bail;

(v) character, behaviour, means, position and standing of the accused;

(vi) likelihood of the offence being repeated;

(vii) reasonable apprehension of the witnesses being influenced; and

(viii) danger, of course, of justice being thwarted by grant of bail.'

8. In Mahipal v. Rajesh Kumar alias Polia, (2020) 2 SCC 118, this Court opined as under:

:

'16. The considerations that guide the power of an appellate court in assessing the correctness of an order granting bail stand on a different footing from an

assessment of an application for the cancellation of bail. The correctness of an order granting bail is tested on the anvil of whether there was an improper or arbitrary exercise of the discretion in the grant of bail. The test is whether the order granting bail is perverse, illegal or unjustified. On the other hand, an application for cancellation of bail is generally examined on the anvil of the existence of supervening circumstances or violations of the conditions of bail by a person to whom bail has been granted.

…'

9. In Bhagwan Singh v. Dilip Kumar @ Deepu @ Depak, 2023 INSC 761, this Court, in view of Dolat Ram v. State of Haryana, (1995) 1 SCC 349; Kashmira Singh v. Duman Singh, (1996) 4 SCC 693 and X v. State of Telangana, (2018) 16 SCC 511, held as follows:

'13. It is also required to be borne in mind that when a prayer is made for the cancellation of grant of bail cogent and overwhelming circumstances must be present and bail once granted cannot be cancelled in a mechanical manner without considering whether any supervening circumstances have rendered it in conducing to allow fair trial. This proposition draws support from the Judgment of this Court in Daulat Ram v. State of Haryana, (1995) 1 SCC 349, Kashmira Singh v. Duman Singh (1996) 4 SCC 693 and XXX v. State of Telangana (2018) 16 SCC 511.'

10. In XXX v. Union Territory of Andaman & Nicobar Islands, 2023 INSC 767, this Court noted that the principles in Prasanta Kumar Sarkar (supra) stood reiterated in Jagjeet Singh v. Ashish Mishra, (2022) 9 SCC 321.

11. The contours of anticipatory bail have been elaborately dealt with by 5-Judge Benches in Gurbaksh Singh Sibbia v. State of Punjab, (1980) 2 SCC 565 and Sushila Aggarwal v. State (NCT of Delhi), (2020) 5 SCC 1. Siddharam Satlingappa Mhetre v. State of Maharashtra, (2011) 1 SCC 694 is worthy of mention in this context, despite its partial overruling in Sushila Aggarwal (supra). We are cognizant that liberty is not to be interfered with easily. More so, when an order of pre-arrest bail already stands granted by the High Court.

12. Yet, much like bail, the grant of anticipatory bail is to be exercised with judicial discretion. The factors illustrated by this Court through its pronouncements are illustrative, and not exhaustive. Undoubtedly, the fate of each case turns on its own facts and merits." (emphasis supplied)

21. In Ajwar (supra), this Court also examined the considerations for setting aside bail orders in terms below:

"28. The considerations that weigh with the appellate Court for setting aside the bail order on an application being moved by the aggrieved party include any supervening circumstances that may have occurred after granting relief to the accused, the conduct of the accused while on bail, any attempt on the part of the accused to procrastinate, resulting in delaying the trial, any instance of threats being extended to the witnesses while on bail, any attempt on the part of the accused to tamper with the evidence in any manner. We may add that this list is only illustrative and not exhaustive. However, the court must be cautious that at the stage of

granting bail, only a prima facie case needs to be examined and detailed reasons relating to the merits of the case that may cause prejudice to the accused, ought to be avoided. Suffice it is to state that the bail order should reveal the factors that have been considered by the Court for granting relief to the accused.

29. In Jagjeet Singh (supra), (2022) 9 SCC 321, a three-Judges bench of this Court, has observed that the power to grant bail under Section 439 Cr. P.C. is of wide amplitude and the High Court or a Sessions Court, as the case may be, is bestowed with considerable discretion while deciding an application for bail. But this discretion is not unfettered. The order passed must reflect due application of judicial mind following well established principles of law. In ordinary course, courts would be slow to interfere with the order where bail has been granted by the courts below. But if it is found that such an order is illegal or perverse or based upon utterly irrelevant material, the appellate Court would be well within its power to set aside and cancel the bail. (Also refer: Puran v. Ram Bilas, (2001) 9 SCC 338 ; Narendra K. Amin (Dr.) v. State of Gujarat, (2008) 13 SCC 584)" (emphasis supplied)

Overtaking- Rashness or negligence

Merely the offending vehicle was overtaking another vehicle that itself would not mean that the driver of the vehicle was driving it rashly. He relied on the judgment of Hon'ble Supreme Court in the case of Prem Lal Anand and others v. Narendra Kumar and others (2024) 9 Supreme (SC) 644). The Hon'ble Supreme Court was dealing with the case where the driver of the vehicle while overtaking the vehicle was involved in the accident. In the said circumstances, the Hon'ble Supreme Court found that when there was no proof that the vehicle was driven rash and negligently apart from the fact that the vehicle was overtaking another vehicle that in itself would not amount to rash and negligent driving.

NEWS

- High Court Of Andhra Pradesh - Addition Of New Rule I.E., 35-E (I) To (V) In The Criminal Rules Of Practice And Circular Orders. 1990 - Amendment. [G.O.Rt.No.687, Law (L,La. & J - Home -Courts-B), 16th August, 2024.]
- Amendments To The Criminal Rules Of Practice And Circular Orders, 1990 In Terms Of Orders Dated: 20.04.2021 Passed By The Hon'ble Supreme Court Of India In S.M.W.P.(Crl .) No.1/2017. [G.O.Rt.No.637, Law (L, L.A & J - Home (Courts.B), 5th August, 2024.]

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ON A LIGHTER VEIN

An IT expert asked a user to choose a password of 8 characters.

The user replied: “Snow White and the Seven Dwarves”.

“I can see that you are an Solicitor.”

“Yes, you’re right. But how did you know?”

“The answer you gave is 100% accurate and 100% useless

*****

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Notes
