

Ramesh Chand (Deceased) through Legal Representatives vs. Suresh Chand & Anr.: 2025 INSC 1059:

1. Did the documents—GPA, Agreement to Sell, Affidavit, Receipt, and Will—confer valid title over the immovable property? 2. Was the doctrine of part performance under Section 53A of the Transfer of Property Act (TP Act) applicable? 3. What were the rightful interests or reliefs, if any, for all parties, including the purchaser (Respondent No. 2) to whom Ramesh Chand had sold half the property? –

HELD

Facts: The property in dispute (House No. 563, Ambedkar Basti, Delhi) originally belonged to Kundan Lal, father of both parties. Suresh Chand (plaintiff/respondent) claimed title through multiple documents executed on May 16, 1996, including General Power of Attorney (GPA), an agreement to sell, an affidavit, a receipt of consideration, and a registered WILL. Ramesh Chand (defendant/appellant), pleaded property was orally partitioned in his favour in 1973 by their father. The other documents do not transfer title or are otherwise invalid. Suit filed by Suresh Chand sought possession, declaration of title, mesne profits, and return of documents.

Ratio Decidendi: Agreement to Sell: Under Section 54 of the TP Act, only a registered sale deed transfers title. Agreements to sell are enforceable only as contractual rights—not as transfer instruments.

General Power of Attorney (GPA): GPA merely establishes an agency; it does not transfer title or interest in the property.

Will: A Will is ambulatory and revocable. It comes into effect only upon the testator's death. In this case, the Will was poorly substantiated, with lack of attesting witness testimony; excluded other children without explanation, raising suspicious circumstances; mere registration did not validate it.

Affidavit and Receipt: These documents (despite acknowledging payment) did not convey any title. They lacked the legal form needed under Section 54 TPA.

Section 53A (Part Performance): This doctrine applies only if the transferee is in possession. Since Suresh Chand filed the suit seeking possession, he was not in possession; and thus, could not claim protection under Section 53A TPA.

Succession Rights: With the Will invalid, the property devolved to all Class-I legal heirs. The Supreme Court also protected the rights of Respondent No. 2, the purchaser of half the property from the appellant, to the extent of the appellant's share only.

Outcome: Hon'ble Supreme Court allowed the appeal, overturning both the Trial and High Court judgments. The property remained ancestral, to be distributed among all legal heirs entitled by succession.

Malleeswari v. K. Suguna: 2025 INSC 1080-1.

Non-impleading of necessary parties: Whether the omission of Malleeswari—a legitimate heir—rendered the suit and resulting decree invalid. 2. Validity of the ex-parte decree: Whether the ex-parte preliminary decree should be set aside due to nonimpleading of an essential co-owner and heir in a partition suit concerning ancestral property. 3. Effect of property transactions postdecree: Validity of the sale and settlement deeds executed after such a decree when a major heir was excluded

HELD

Facts: The dispute originates from a partition suit concerning ancestral property, designated in a registered partition deed dated 22.11.1991, executed between the deceased patriarch (the —first defendant) and his brother. The suit was pursued without impleading Malleeswari (the appellant), who is the daughter of the deceased first defendant and another party, Muniammal. On 25 February 2003, the trial court passed an ex-parte preliminary decree, granting partition as prayed.

Following this decree; the first defendant executed a registered sale deed on 27.12.2004, transferring items 4–7 of the suit property to K. Suguna (respondent). Simultaneously, a settlement deed was executed conveying items 1–3 and 8–10 to Malleeswari.

Ratio Decidendi: The Hon'ble Supreme Court's reasoning likely rested on established principles:

- In partition suits involving ancestral Hindu Undivided Family (HUF) property, all coparceners and heirs must be joined as parties. Their exclusion invalidates any decree affecting their rights.
- An ex-parte decree obtained without impleading a rightful heir is legally unsustainable.
- Consequently, post-decree property transfers—be it by sale or settlement— would be void or liable to be vacated, as the decree itself lacked authority over an unjoined, entitled heir.

Outcome: Hon'ble Supreme Court allowed the appeal of Malleeswari quashing or modifying the ex-parte preliminary decree and declaring the post-decree transactions void or unenforceable insofar as they pertain to her share. The case remanded for rehearing with all necessary parties— including Malleeswari—properly impleaded to protect her legal rights.

Shanti Devi (Since Deceased) Through Lrs. Goran Versus Jagan Devi & Ors.: 2025 INSC 1105-

1. Validity of the sale deed: Is the sale deed void ab initio (void from the beginning) because the consideration was not paid (or evidence of payment is not established), or is it merely voidable?

2. Which provision of the Limitation Act applies: Article 59: for suits to cancel / set aside an instrument (3 years limitation); or Article 65: for suits for possession based on title (12 years limitation).

3. Whether the suit is time-barred under the proper article, given the dates (sale deed in 1973, suit in 1984).-

HELD

Facts: Plaintiffs (respondents) claimed ownership and peaceful possession of one-third share in agricultural land in village Bisar Akbarpur, Gurgaon. In 1973, a sale deed was executed in favour of the defendant (Shanti Devi, since deceased, through legal representatives) by Ram Saran (vendor) and the plaintiff among others. The plaintiff alleged that she neither executed that sale deed in reality nor received the sale consideration; i.e. the sale deed was fraudulent / concocted in respect of her share. The suit was filed in 1984. Trial Court dismissed the suit. First Appellate Court (District Court) allowed the suit in favour of the plaintiffs. High Court (Punjab & Haryana) in its Second Appeal dismissed the defendant's appeal, but held that Article 59 of the Limitation Act (limitation for cancelling / setting aside an instrument — 3 years) applied.

Ratio Decidendi: Hon'ble Supreme Court's observed and held as under:

- Under Section 54 of the Transfer of Property Act, 1882, for a document to be a valid sale, payment (or promise of payment) of price is essential. Without consideration, the sale is void; it does not become valid later just by registration.

- A document that is void ab initio need not be cancelled under Article 59; instead, the rightful owner can ignore it and sue for possession based on his title.

When a sale deed is void (as above), the limitation period for possession suits is governed by Article 65 of the Limitation Act, 1963 — twelve years from when possession became adverse (or from when plaintiff knew adverse possession, in some respects) rather than the 3-year period of Article 59.

Outcome Hon'ble Supreme Court dismissed the appeal filed by Shanti Devi's legal representatives. It affirmed that the suit filed in 1984 was within 12 years (Article 65) even if the sale deed was executed in 1973. So, the suit was not barred by limitation.

Shivamma (Dead) By Lrs. Vs Karnataka Housing Board (Khb): 2025 INSC 1104-

1. Whether the High Court was justified in condoning an inordinate delay of 3966 days in filing the second appeal by the State Housing Board?

2. What constitutes a —sufficient cause under Section 5, especially when the party seeking condonation is a Government agency, and whether —public interest or —administrative delay / lethargy alone can amount to sufficient cause.-

HELD

Facts: The dispute concerned a parcel of land. The Appellant's suit for declaration of title and possession was initially dismissed by the Trial Court in 1997. The First Appellate Court allowed the Appellant's appeal on 03.01.2006, decreeing the suit in her favour. However, instead of granting possession (as substantial construction existed on the land), it directed the Respondent-KHB to pay compensation. As KHB did not pay, the Appellant initiated execution proceedings in 2011. Remarkably, KHB filed a second appeal before the High Court only on 14.02.2017, along with an application to condone a delay of 3966 days (almost 11 years) in filing the appeal. The High Court of Karnataka, vide its order dated 21.03.2017,

allowed the application and condoned the inordinate delay. Aggrieved by this condonation, the Appellant filed the present appeal before the Supreme Court.

Ratio Decidendi: Hon'ble Supreme Court's held as under:

Interpretation of Section 5 Limitation Act: The Court held that for condoning delay under Section 5, the applicant must explain the entire period from when the limitation period begins to the date of actual filing of the appeal. It is not enough to explain only the period after expiry of limitation; delays before that must also be accounted for.

—Sufficient Cause standard: The cause for delay must be bona fide and must cover the full period. Mere administrative laxity, bureaucratic inefficiency or negligence doesn't by itself suffice. The State or government instrumentality is not to be given a special or liberal dispensation just because it is a State body.

Outcome: Hon'ble Supreme Court allowed the civil appeal of Shivamma (by LRs), i.e. it set aside the High Court's order dated 21.03.2017 condoning the delay of 3966 days. This is a strong reaffirmation that limitation law is not a 'technicality' but a matter of public policy, certainty, and justice. The Court emphasizes that even State instrumentalities must be diligent; they cannot claim endless leeway.

C.P. Francis Versus C.P. Joseph And Others: -

1. Whether the High Court, in a second appeal under Section 100 CPC, could frame an additional substantial question of law (i.e. invoking Section 67 ISA) which was never pleaded or argued in the trial / first appeal stage?
2. Whether the requirement to record valid reasons exists under the proviso to Section 100(5) CPC for adding such additional question of law. ?
3. Whether invoking Section 67 ISA in those circumstances is permissible, given that there were no pleadings, and certain foundational facts (such as the relationship of witnesses) were not tested in cross-examination?-

HELD

Facts: Parents (C. R. Pius and Philomina Pius) executed a registered joint Will on 27 January 2003, by which they bequeathed their properties (Schedules A & B) to their son, C. P. Francis (Appellant). The bequest was subject to Francis paying certain sums to his siblings within five years after the death of both parents. Among two attesting witnesses of the Will: one was Ponsy (DW5), the wife of Francis, the other was DW6, husband of one of the respondents. After the death of parents, the siblings (Respondents) filed a suit for partition and permanent injunction, challenging the will on grounds of: nontestamentary capacity, fraud/ undue influence, etc. Trial Court and First Appellate Court upheld validity of the will, i.e., found parents were of sound mind, execution proper, attesting witnesses valid, etc. In second appeal, the Kerala High Court introduced a new substantial question of law (suo motu) under Section 67 of the Indian Succession Act (ISA) which states that a bequest to an attesting witness or spouse of an attesting witness

is void. The High Court held that since one attesting witness was wife of Francis (beneficiary) that portion of bequest is void, and so intestate succession applies for that share.

Ratio Decidendi: Hon'ble Supreme Court held that in a second appeal under Section 100 CPC, a High Court cannot raise new substantial questions of law that were not part of the pleadings/issues or argued by parties / decided in lower courts. Doing so is a violation of fair procedure. The proviso to Section 100(5) CPC allows a High Court to entertain —any other substantial question of law— only if certain conditions are met, including that there must be grounding in pleadings and evidence, foundation in issues, recorded reasons for framing it, and giving a fair opportunity to the parties to address it. A legal bar (like Section 67 ISA) which depends on foundational facts cannot be invoked without those facts being tested/established in the lower proceedings. If they are not, then introducing that bar at the second appeal stage amounts to creating a new case, which is impermissible.

Outcome: Hon'ble Supreme Court allowed the appeal by C. P. Francis, and aside the High Court's judgment which had voided the bequest under Section 67. The findings of the Trial Court and First Appellate Court—valid execution of the will, testamentary capacity, absence of fraud/undue influence— were restored.

CRIMINAL

Phireram v. State of Uttar Pradesh: 2025 INSC1074-

HELD

Facts and Ratio Decidendi: The accused in a murder trial was alleged to have threatened witnesses; the High Court relegated the complainant to witness protection. The Supreme Court held that the Witness Protection Scheme, 2018 is a curative remedy and cannot replace the judicial power to cancel bail when conditions are breached. The Court further clarified that courts must address bail cancellation on merits if liberty is abused, safeguarding both trial integrity and witness safety.

Sushil Kumar Tiwari v. Hare Ram Sah: 2025 INSC 1061-

HELD

Facts and Ratio Decidendi: The Supreme Court restored life imprisonment for two accused who raped a minor girl, overturning the High Court's acquittal based on alleged defects in charges and joint trial procedure. The Court held that procedural lapses do not vitiate a trial unless they cause real prejudice, emphasizing the importance of victim testimony and medical evidence in sexual offence cases. Substantive justice cannot yield to hyper-technicalities.

Shree Nagani Silk Mills Pvt. Ltd. v. L.D. Industries Ltd.: 2025 INSC 1064-

HELD

Facts and Ratio Decidendi The Supreme Court restored criminal proceedings under Section 138 NI Act against the accused company, despite its 'sick' status under SICA. The cheques for discharged liability were dishonoured, and the accused sought quashing based on a BIFR restraint order. The Court held SICA does not bar prosecution for cheque dishonor and questions about the purpose of cheque issuance must be decided at trial, not preliminarily.

Sreeja D.G v. Anitha R. Nair: Law Finder Doc Id # 2774771-

HELD

Facts and Ratio Decidendi: Considering the issue of alteration of conditions of bail by the Court granting bail when petition is pending against that order in higher court, the Supreme Court stayed the High Court's orders modifying bail conditions for the accused in multiple financial fraud cases during pendency of an SLP challenging the original anticipatory bail. The Court held that High Courts lack power to alter bail terms once the matter is sub judice before the Supreme Court, stressing judicial discipline and prohibiting actions that may undermine appellate proceedings.

Ram Sagar v. Central Bureau of Investigation: Law Finder Doc Id # 2777041-

HELD Facts and Ratio Decidendi:

The Supreme Court upheld the framing of charges against a public servant accused of conspiracy, criminal breach of trust, falsification of accounts, and cheating under IPC Sections 120B, 409, 477A, 420, along with Prevention of Corruption Act charges. The petitioner challenged IPC charges alleging absence of prior sanction under Section 197 CrPC. The Court ruled that sanction under Section 197 crpc can be raised at any stage of trial, depending on evidence, and is not a pre-trial bar to framing charges.

Vandana v. State of Maharashtra 2025 INSC 1098-

HELD Facts and Ratio Decidendi

The Supreme Court acquitted Vandana, charged under Sections 420, 468, 471, and 511 IPC for forgery and cheating involving tampered university marksheets. The Court highlighted key evidentiary gaps and the forged documents passed through several hands, breaking chain of custody, absence of handwriting expert opinion, and failure to prove dishonest intention (mens rea). Procedural lapses under Section 313 crpc in recording the accused's statement also caused prejudice. The judgment emphasized that mere suspicion cannot replace proof beyond reasonable doubt, leading to acquittal.

Vinod Kumar Pandey v. Seesh Ram Saini: 2025 INSC 1098 –

Key Highlights of the Judgment:

- **Accountability of Investigators:** The Court famously remarked that "**sometimes those who investigate must also be investigated**". It emphasized that public servants, including high-ranking CBI officials, are not immune from criminal investigation if allegations disclose a cognizable offence.
- **Mandatory FIR Registration:** Reaffirming the principles of Section 154 CrPC, the Court held that police must register an FIR if a complaint *prima facie* discloses a cognizable offence.
- **Limits of Preliminary Inquiry:** The judgment clarified that a [preliminary inquiry](#) cannot be used as a "shield" to avoid FIR registration. The veracity of allegations should be tested during a full investigation, not dismissed at the inquiry stage.
- **Arrest Guidelines:** The Court ruled that for offences punishable by up to seven years' imprisonment, arrest is an exception, not a routine step. Police must provide written reasons for the necessity of an arrest, especially under the [Bharatiya Nagarik Suraksha Sanhita \(BNSS\), 2023](#).

HELD Facts and Ratio Decidendi

The Supreme Court upheld the Delhi High Court's order directing registration of FIR against CBI officers by discussing scope of section 154 CrPC for abuse of power, illegal seizure, intimidation, and forgery. The officers challenged the FIR based on a preliminary CBI inquiry that found no cognizable offence. The Court ruled that the High Court rightly intervened due to public importance and serious allegations, rejecting the immunity plea under Section 197 CrPC. The judgment stresses accountability and that law enforcement is not above investigation and prosecution.

Mohammad Afzal Mohammad Sharif v. State of Maharashtra: 2025 INSC 1100-

Key Rulings

Mandatory FIR Registration: The Court reaffirmed that under Section 154 of the CrPC (now BNSS), police are legally obligated to register an FIR upon receiving information about a cognizable offence.

Dereliction of Duty: The Bench, comprising Justices Sanjay Kumar and Satish Chandra Sharma, observed a "patent dereliction of duty" by the police for failing to act despite being aware of the victim's injuries.

Overturning the High Court: The Supreme Court set aside the Bombay High Court (Nagpur Bench) order, which had dismissed the appellant's petition after questioning his "bona fides" and suggesting an "ulterior motive".

Establishment of an SIT: The Court directed the Maharashtra Government to constitute a Special Investigation Team (SIT) comprising senior officers from both Hindu and Muslim communities to ensure an impartial investigation.

Recent Developments

In November 2025, the State of Maharashtra filed a Review Petition specifically challenging the Court's direction that the SIT must be composed of officers from both Hindu and Muslim communities, arguing it

impinges upon "institutional secularism". The Supreme Court has issued notice on this limited aspect of the review.

Mamman Khan v. State of Haryana: 2025 INSC 1113-

Key Ruling & Principles

- **No Preferential Segregation:** The Court held that an MLA's status alone does not justify a deviation from the rule of **joint trials** under Section 223 of the CrPC.
- **Equality Before Law:** Preferential segregation based solely on political status violates the principle of equality enshrined in **Article 14** of the Constitution.
- **Fairness vs. Speed:** While the Court acknowledged the need for the [expeditious disposal](#) of cases involving MPs/MLAs, it clarified that this "right to speedy trial" cannot be secured at the cost of the [fairness and procedural safeguards](#) guaranteed under the law.
- **Same Transaction Rule:** Under Section 223 CrPC, when offences arise out of the "same transaction" and are based on common evidence, they should generally be tried together.

Case Context

- **Parties:** Mamman Khan (a sitting MLA from Haryana) versus the State of Haryana.
- **Origin:** The case arose from FIRs related to the **2023 Nuh communal violence**.
- **Procedural History:** The Trial Court had ordered a separate chargesheet and trial for Khan to avoid delays caused by other co-accused, a decision previously upheld by the Punjab and Haryana High Court.
- **Final Order:** A bench of **Justices J.B. Pardiwala and R. Mahadevan** set aside the segregation orders and remitted the case to the trial court for a **joint trial** with the co-accused.

Kailas v. State Of Maharashtra: 2025 INSC 1117-

HELD Facts and Ratio Decidendi

The appellant was convicted under the NDPS Act for possession of 39 kg ganja, mainly based on video evidence of the raid. The High Court set aside the conviction but ordered a re-trial, which the Supreme Court found unjustified. The Supreme Court ruled that a re-trial merely to cure procedural lapses, especially regarding electronic evidence, is impermissible. Instead, it restored the appeal for a merit-based decision by the High Court. This judgment clarified that trials should not be repeated unless substantive injustice has occurred.

Bhanei Prasad @ Raju vs. State of Himachal Pradesh: 2025 SCC OnLine SC 1636-

What are the legal obligations and procedures under the Protection of Children from Sexual Offences (POCSO) Act regarding the determination of sentencing, particularly life imprisonment, and the associated requirements for victim compensation and rehabilitation?-

HELD

Facts: The petitioner, Bhanai Prasad @ Raju, challenged his sentence of imprisonment, which was initially confirmed by a higher court. The case involved a criminal conviction that resulted in a life imprisonment sentence. The Court also addressed the issue of victim compensation, with the State of Himachal Pradesh being directed to deposit a specified amount as compensation to the victim. The compensation was to be paid in a structured manner, with part of it kept in fixed deposit for the victim's financial security and the remaining paid directly to her.

Ratio Decidendi: The Court reaffirmed that a life imprisonment sentence means imprisonment until the end of the natural life of the accused, emphasizing the importance of this standard in criminal sentencing. It also held that victim compensation must be paid in a structured manner, with part of the amount secured in a fixed deposit to generate interest and provide ongoing financial support, and the remaining paid directly to the victim. The Court underscored that victim compensation is a statutory entitlement that reinforces justice, and that the order for payment should be monitored to ensure compliance and benefit to the victim.

Sushil Kumar Tiwari vs. Hare Ram Sah and Others : 2025 INSC 1061-

Does an error or irregularity in the framing of charges or joint trial of accused persons, without resulting in a failure of justice or prejudice to the accused, necessarily vitiate the validity of a conviction, or can such procedural lapses be deemed harmless if the accused's right to a fair trial is otherwise preserved?-

HELD

Facts: The facts of the case involve a minor girl who was allegedly raped by Respondent Nos. 1 and 2, resulting in her pregnancy. The incident is reported to have occurred a few days after the Holi festival in 2016. The victim's consistent testimony, supported by medical reports confirming pregnancy and subsequent abortion, formed the core evidence of the prosecution's case [p_25][p_30]. The trial court convicted the respondents based on this evidence, but the High Court reversed the conviction, citing procedural irregularities such as non-compliance with provisions related to joinder of trials and errors in framing charges, including discrepancies in the dates of the offence and the manner in which the trial was conducted. The High Court also identified inconsistencies in the evidence, particularly concerning the date and time of the offence and the age of the victim, emphasizing that procedural irregularity could impact the fairness of the trial.

Ratio Decidendi: The Supreme Court held that procedural errors, such as irregularities in framing charges or conducting joint trials, do not automatically invalidate a trial unless they cause prejudice or result in a failure of justice. It emphasized that the core principle is that procedural lapses should not overshadow

substantive evidence of guilt. The Court further observed that the evidence, including the victim's testimony and medical reports, was sufficient to establish the offence beyond reasonable doubt. It clarified that unless procedural lapses lead to prejudice or miscarriage of justice, they do not justify setting aside a conviction. Consequently, the Court reinstated the conviction and sentence, underscoring that the primary objective is to ensure that justice is not defeated by procedural technicalities.

Satauram Mandavi vs. The State of Chhattisgarh & Anr.: 2025 INSC 892-

Does the application of amended provisions of the POCSO Act, which redefine the term "imprisonment for life" to mean the remainder of natural life, violate the constitutional protection against retrospective imposition of harsher penalties under Article 20(1) of the Constitution of India when the offence was committed prior to the amendment? –

HELD

Facts : The facts of the case revolve around an offence committed on 20.05.2019, when the appellant allegedly lured a five-yearold girl into his house and committed sexual assault. The FIR was lodged on 26.06.2019, and the trial court convicted the appellant under Section 376AB of the IPC and Section 6 of the POCSO Act, sentencing him to imprisonment for the "remainder of his natural life" along with a fine. The appellant challenged the sentence, arguing that the enhanced punishment introduced by the 2019 amendment, which redefined "imprisonment for life" as imprisonment for the remainder of natural life, could not be applied retrospectively because the offence was committed before the amendment came into force. The High Court upheld the conviction but ruled that applying the amended provision was unconstitutional because it violated the constitutional protection against retrospective punishment, specifically under Article 20(1) of the Constitution, which prohibits imposing harsher penalties for acts committed prior to the law's enactment .

Ratio Decidendi: The ratio of the case is that the constitutional safeguard under Article 20(1) of the Constitution is absolute and prohibits the retrospective application of harsher penalties. Since the offence was committed before the law was amended, the definition of "imprisonment for life" as imprisonment for the remainder of natural life could not be applied to the appellant. Consequently, the Court upheld the conviction but modified the sentence to a rigorous imprisonment for life, consistent with the law in force at the time of the offence, thereby ensuring that the punishment did not exceed what was legally permissible at that time