

LATEST CASES: CIVIL

1. **Deepesh Maheswari and Anr. Versus Renu Maheswari and Ors: 2026 SCC OnLine SC 504-**

Whether an application to set aside an ex parte decree is barred if an appeal against the same decree has already been dismissed? –

Case Background

- **Deceased:** Omprakash Maheshwari, lineman at Madhya Pradesh Central Electricity Distribution Company, died on **4 April 2011**.
- **Claimants:** His daughters, Renu and Jyoti, sought retiral benefits under **Section 372 of the Indian Succession Act, 1925**.
- **Dispute:** Records listed his wife as **Malti Maheshwari**, but Renu and Jyoti claimed their mother was Asha Maheshwari (who predeceased Omprakash in 2006).
- **Trial Court:** Granted succession certificate ex parte, without Malti's presence.

Procedural History

- **Order IX Rule 13 CPC Application:** Malti and her minor son (Deepesh, aged 12 at the time) sought to set aside the ex parte certificate.
- **Trial Court:** Rejected, noting Malti had appeared in a related appeal.
- **District Judge:** Upheld rejection, citing proper service of notice.
- **High Court (Madhya Pradesh):** Dismissed revision, holding minor was not a necessary party.

Supreme Court's Key Findings

- **Minor's Rights:** The Court ruled that minors cannot be expected to implead themselves; a guardian ad litem should have been appointed.
- **Defects in Succession Application:** Section 372 requires full disclosure of relatives and facts. Here, discrepancies (e.g., misstatements about Malti's identity) undermined validity.
- **Revocation Grounds:** Under **Section 383 of the Succession Act**, suppression or misstatement of facts justified revocation of the certificate.
- **Natural Justice:** Excluding the minor heir violated fundamental fairness.

Significance of the Judgment

- **Protection of Minors:** Reinforces that courts must safeguard minors' inheritance rights.
- **Limits of Procedural Shortcuts:** Clarifies that procedural compliance cannot override substantive justice.
- **Succession Law Guidance:** Affirms that succession certificates can be revoked if obtained through misrepresentation or suppression.

2. Channappa (D) Thr. Lrs. Vs. Parvatewwa (D) Thr. Lrs.: 2026 SCC OnLine SC 552

Whether a subsequent suit for declaration of title is maintainable when the plaintiff failed to seek that relief in an earlier injunction suit where the title was already under dispute?

The Supreme Court held that a subsequent suit seeking declaration of ownership and possession was barred under *Order II Rule 2 CPC* and *constructive res judicata*, restoring the trial and first appellate court's dismissal and setting aside the High Court's interference in second appeal.

Case Background

- **Adoption Dispute:** Parvatewwa claimed to have adopted Channappa in **1961** after her husband's death.
- **First Suit (2002):** She challenged the adoption deed as null and void and sought injunction, but did **not** seek declaration of ownership.
- **Second Suit (2007):** While appeal in the first suit was pending, she filed another suit alleging dispossession and sought declaration of ownership and recovery of possession.

Procedural History

- **Trial Court (2006 & 2007 suits):** Dismissed the second suit, holding it barred by limitation, res judicata, and Order II Rule 2 CPC.
- **First Appellate Court (2009):** Confirmed dismissal of the second suit.
- **High Court (2023):** Allowed second appeal, reversed findings, and decreed in Parvatewwa's favour.
- **Supreme Court (2026):** Set aside High Court's judgment, restored trial and appellate court rulings.

Supreme Court's Key Findings

- **Order II Rule 2 CPC:** Reliefs arising from the same cause of action must be claimed in the first suit; omission bars subsequent suits.
- **Constructive Res Judicata (Section 11 CPC, Explanation IV):** Claims that could and should have been raised earlier are deemed decided.
- **Section 105 CPC:** Interlocutory orders can be challenged in appeal against the final decree.
- **Second Appeal Limits (Section 100 CPC):** High Court cannot reappreciate facts unless a substantial question of law arises.

Significance of the Judgment

- **Precedent Reinforced:** Plaintiffs must claim all available reliefs in the first suit to avoid procedural bars.
- **Judicial Discipline:** High Courts cannot exceed jurisdiction in second appeals by reassessing facts.
- **Property Litigation Impact:** Clarifies that successive suits on the same cause of action are impermissible.

In short: The Supreme Court reaffirmed that litigants cannot split reliefs across multiple suits; omission in the first suit bars subsequent claims, and High Courts must respect limits of second appeal jurisdiction.

3. Hari Ram Versus State of Rajasthan & Ors.: 2026 SCC OnLine SC 580-

Whether a 31-year delay in filing an appeal can be condoned under the Limitation Act based on vague allegations of "fraud" or "lack of notice."?

Whether a Declaratory Decree (declaring title/khatedari rights) can be set aside or treated as suspicious merely because the plaintiff did not seek its execution, in a situation where the plaintiff was already in possession of the suit property at the time the decree was passed?

The Supreme Court upheld Hari Ram's claim to *khatedari* (tenant-occupant) rights over 158.3 bighas of agricultural land, ruling that a declaratory decree itself amounts to repudiation of a voidable transaction, even without formally challenging an alleged fabricated sale deed.

Case Background

- **Land in dispute:** 158.3 bighas in Rajasthan, recorded in the name of Hari Ram's father in 1961.
- **Claim:** Hari Ram sought declaration of *khatedari* rights under **Section 88 of the Rajasthan Tenancy Act, 1955**, and recovery of half the land encroached by defendants.
- **Defendants:** Keshi, Bhura Ram, and his son Bhiya, alleged to have fabricated a sale deed to encroach.
- **Original suit (1965):** Filed by Hari Ram's mother on his behalf as a minor; decreed in 1975, recognizing his rights.

Procedural History

- **Trial Court (1975):** Decreed in Hari Ram's favour after defendants were set ex parte.
- **Appeal (2006):** Filed decades later by Keshi, dismissed for delay.
- **Board of Revenue:** Remanded matter, citing lack of proper opportunity for defendants.
- **High Court:** Affirmed remand, siding with defendants.
- **Supreme Court (2026):** Reversed, restored Hari Ram's rights.

Supreme Court's Key Findings

- **Declaratory Decree as Repudiation:** Even without formally seeking cancellation of the alleged sale deed, the decree recognizing Hari Ram's title effectively repudiated the voidable transaction.
- **Sale Deed Not Produced:** Since the alleged sale deed was neither produced nor registered, there was no need to seek its cancellation.
- **Natural Justice:** The defendants had contested initially but failed to pursue; ex parte decree was valid.
- **Delay in Challenge:** Attempt to reopen the decree after 31 years was untenable.

Legal Principles Clarified

- **Order IX Rule 13 CPC:** Ex parte decrees can be challenged, but only within limitation.
- **Voidable Transactions:** Repudiation can occur through conduct or declaratory decree, not necessarily a separate suit.
- **Tenancy Rights:** Mutation entries and succession under Rajasthan Tenancy Act provide strong basis for *khatedari* claims.

Significance

- **Strengthens Tenant Rights:** Protects successors from fabricated claims decades later.
- **Limits Endless Litigation:** Reinforces finality of decrees and bars stale challenges.
- **Clarifies Law on Sale Deeds:** No need to challenge unproduced/unregistered documents separately.

Quick Comparison of Court Rulings

Court Level	Decision	Reasoning	Supreme Response	Court's
Trial Court	Decreed in Hari Ram's favour	Defendants ex parte, mutation supported claim	Correct	
Board of Revenue	Remanded case	Claimed lack of opportunity for defendants	Misapplied law	
High Court	Affirmed remand	Favoured defendants, citing illiteracy	Exceeded jurisdiction	
Supreme Court	Restored decree	Declaratory decree sufficient repudiation	Final ruling	

In short: The Supreme Court confirmed Hari Ram's *khatedari* rights, holding that declaratory decrees themselves repudiate voidable transactions, preventing fabricated claims from undermining long-settled tenancy rights.

Can a plaint be rejected at the threshold (under Order VII Rule 11) on the ground that it is barred by Order II Rule 2 CPC? –

The Supreme Court clarified that a plaint cannot be rejected under *Order VII Rule 11(d) CPC* merely because the suit may be barred under *Order II Rule 2 CPC*. The Court restored the trial court's order allowing the suit to proceed, setting aside the Madras High Court's rejection.

Case Background

- **Family Property Dispute:** Involved assets in **Chennai, Ooty, and Pudukottai**.
- **First Suit (2012):** Reliefs sought regarding possession of a Chennai property and operation of a bank account.
- **Second Suit (2013):** Widow and daughters of late M. Sokkalingam sought declaration that a **2011 Power of Attorney** was void, alleging fraud, coercion, and undue influence, plus injunction against transfer of properties.
- **Defendants' Objection:** Argued second suit was barred under *Order II Rule 2 CPC* since reliefs should have been claimed earlier.

Procedural History

- **Trial Court:** Refused to reject the plaint, allowed suit to proceed.
- **Madras High Court:** Reversed, rejected plaint under *Order VII Rule 11(d) CPC*, holding both suits arose from same cause of action.
- **Supreme Court (2026):** Set aside High Court's order, restored trial court's decision.

Supreme Court's Key Findings

- **Order II Rule 2 CPC:**
 - Restricts grant of omitted reliefs but does **not bar institution of a suit**.
 - Requires factual examination and evidence to determine applicability.
- **Order VII Rule 11(d) CPC:**
 - Applies only when a suit is barred by law on the face of the plaint.
 - Inquiry must be confined to plaint averments, not comparison with earlier pleadings.
- **Defendant's Burden:** Must prove identity of cause of action and deliberate omission of reliefs.
- **High Court's Error:** Went beyond plaint averments, effectively conducting a trial at threshold stage.

Significance of the Judgment

- **Clarifies Distinction:** Between *Order II Rule 2* (splitting claims) and *Order VII Rule 11(d)* (legal bar to suit).
- **Protects Plaintiffs:** Ensures suits are not prematurely dismissed without trial.
- **Burden on Defendants:** They must establish cause of action identity with evidence, not assumptions.

- **Civil Procedure Guidance:** Reinforces that threshold rejection of complaints must be narrowly applied.

Quick Comparison of Court Rulings

Court Level	Decision	Reasoning	Supreme Court's Response
Trial Court	Allowed suit to proceed	No bar under Order II Rule 2	Correct
High Court	Rejected plaint	Same cause of action, relief omitted earlier	Exceeded jurisdiction
Supreme Court	Restored trial court order	Order II Rule 2 ≠ ground for rejection under Order VII Rule 11	Final ruling

In short: The Supreme Court held that *Order II Rule 2 CPC* cannot automatically justify rejection of a plaint under *Order VII Rule 11(d)*; such issues must be tested at trial, not at the threshold stage.

5. Pramod Shroff Versus Mohan Singh Chopra: 2026 SCC OnLine SC 598

Whether a court is bound to frame formal issues in a suit that proceeds *ex parte*?

Whether a court can dismiss a suit on a ground (like "lack of title") that was never framed as an issue or indicated to the plaintiff as a point requiring proof?

Supreme Court clarified that even in *ex parte* suits, courts must frame points for determination and deliver reasoned judgments. The Court restored the plaintiff's claim for specific performance, holding that dismissal on grounds not framed as issues (like "lack of title") was legally unsustainable.

Case Background

- **Property:** Flat No. 61, *Shalimar Apartments*, 42-B Shakespeare Sarani, Kolkata, with car parking.
- **Agreement (1977):** Respondent (vendor) agreed to sell to appellant (vendee) for ₹95,000.
 - ₹90,000 paid upfront; ₹5,000 balance due at conveyance.
 - Possession and original title documents handed to appellant.
- **Dispute:** Respondent failed to execute conveyance despite repeated requests.
- **Suit:** Appellant filed for **specific performance** of agreement to sell.

Procedural History

- **Trial Court (2017):** Dismissed suit *ex parte*, holding appellant failed to prove respondent's title.
- **Calcutta High Court (2025):** Affirmed dismissal.
- **Supreme Court (2026):** Allowed appeal, set aside lower court rulings.

Supreme Court's Key Findings

- **Framing of Issues:**
 - *Order XIV Rule 1(6) CPC* allows omission of formal issues if defendant makes no defence.
 - However, court must still identify **points for determination**.
- **Reasoned Judgment Requirement:**
 - *Order XX Rule 4(2) CPC* mandates judgments to contain case statement, points for determination, decision, and reasons.
 - Dismissing a suit on grounds not framed as issues violates natural justice.
- **Ex Parte Proceedings:**
 - Even when defendant is absent, plaintiff must know what points require proof.
 - Courts cannot dismiss on surprise grounds like "lack of title" without framing it as an issue.
- **Definitions Clarified:**
 - *Judgment* (Sec. 2(9) CPC): Statement of grounds for decree/order.
 - *Decree* (Sec. 2(2) CPC): Formal adjudication conclusively determining rights.

Significance of the Judgment

- **Protects Plaintiffs in Ex Parte Suits:** Ensures fair trial standards even when defendant defaults.
- **Judicial Discipline:** Courts must frame points for determination before deciding.
- **Civil Procedure Guidance:** Reinforces that judgments must be reasoned, not dismissals on unframed grounds.
- **Specific Performance Cases:** Strengthens enforceability of agreements to sell when possession and consideration are proved.

Quick Comparison of Court Rulings

Court Level	Decision	Reasoning	Supreme Court's Response
Trial Court	Dismissed suit	Plaintiff failed to prove title	Error: issue not framed
High Court	Affirmed dismissal	Accepted trial court's reasoning	Misapplied CPC
Supreme Court	Allowed appeal	Courts must frame points & give reasons	Restored plaintiff's rights

In short: The Supreme Court held that *ex parte* suits cannot be dismissed on unframed grounds; courts must frame points for determination and deliver reasoned judgments, protecting plaintiffs from unfair surprise.

LATEST CASES: CRIMINAL

6. Om Prakash Chhawnika @ Om Prakash Chabnika @ Om Prakash Chawnika v. State of Jharkhand & Anr.

The Supreme Court in *Om Prakash Chhawnika @ Om Prakash Chabnika @ Om Prakash Chawnika v. State of Jharkhand & Anr.*, 2026 SCC OnLine SC 451, held that in private complaint cases police cannot arrest an accused unless a non-bailable warrant is issued by the court. It further ruled that High Courts have no jurisdiction to compel surrender after rejecting anticipatory bail.

Case Background

- **Complaint Case No. 6181 of 2021** filed in Jharkhand alleging offences under **Sections 323, 420, 467, 468, 471, 120B read with 34 IPC**.
- **Dispute:** Land ownership over two plots (Nos. 1608–1609, ~110 kathas).
- **High Court (2025):** Denied anticipatory bail and directed the accused to surrender and apply for regular bail.

Supreme Court's Key Findings

- **Anticipatory Bail Not Required:**
 - In private complaint cases, once cognizance is taken, the court issues **summons**, not arrest orders.
 - Police have **no authority to arrest** unless a **non-bailable warrant** is issued under **Section 87 CrPC**.
- **Section 202 CrPC Inquiry:**
 - If Magistrate orders police inquiry, police can only **submit a report**.
 - They cannot arrest during such inquiry.
- **High Court's Error:**
 - While rejecting anticipatory bail, the High Court directed surrender.
 - Supreme Court held this direction was **wholly without jurisdiction**.
- **Systemic Concern:**
 - Court noted misuse of anticipatory bail litigation in Bihar and Jharkhand, causing unnecessary burden on higher courts.
 - Directed circulation of the order to High Courts of Bihar and Jharkhand for guidance.

Significance of the Judgment

- **Clarifies Arrest Powers:** Police cannot arrest in complaint cases without a warrant.

- **Limits Judicial Overreach:** High Courts cannot compel surrender after rejecting anticipatory bail.
- **Practical Impact:** Reduces unnecessary anticipatory bail applications in private disputes.
- **Guidance for Lower Courts:** Ensures uniform practice across states, protecting accused from unlawful arrest.

In short: The Supreme Court protected accused persons in private complaint cases from unnecessary anticipatory bail litigation, ruling that police cannot arrest without a non-bailable warrant and High Courts cannot compel surrender after rejecting bail.

7. Sivaraman Nair v. State of Kerala : 2026 INSC 412

In *Sivaraman Nair & Ors. v. State of Kerala & Anr.*, 2026 INSC 412, the Supreme Court quashed criminal proceedings under Sections 498A and 494 IPC against the husband's in-laws, holding that vague and omnibus allegations without specific overt acts cannot sustain prosecution. The case will proceed only against the husband.

Case Background

- **Marriage:** Respondent No. 2 married Syam Sivaraman Nair on **19 December 2007**.
- **Allegations:**
 - Continuous dowry harassment and cruelty.
 - Husband allegedly demanded **₹30 lakhs + 47 sovereigns of gold**.
 - Sale of **153 gold sovereigns** used to buy a Volkswagen car and fund a flat purchase.
 - Husband allegedly contracted a **second marriage in 2013** with one Simran G.
- **Complaint:** FIR No. 1318/2016 registered at Museum Police Station, Thiruvananthapuram.

Procedural History

- **High Court (Kerala, 2024):** Declined to quash proceedings under Section 482 CrPC.
- **Supreme Court (2026):** Appeal allowed; proceedings against in-laws quashed.

Supreme Court's Key Findings

- **498A IPC (Cruelty):**
 - Allegations against in-laws were **general and vague**, lacking specific acts of cruelty.
 - Passive presence or vague encouragement does not constitute cruelty.
- **494 IPC (Bigamy):**
 - Mere knowledge of second marriage is insufficient.
 - Liability requires **active participation or facilitation** in solemnisation.
- **Bhajan Lal Guidelines:** Applied to prevent misuse of criminal law against relatives without concrete evidence.

- **Proceedings Quashed:** Against father-in-law, mother-in-law, and sister-in-law.
- **Proceedings Continue:** Against the husband, where specific allegations exist.

Significance of the Judgment

- **Protects Relatives:** Prevents indiscriminate prosecution of extended family members in matrimonial disputes.
- **Clarifies Bigamy Liability:** Only active involvement in second marriage attracts Section 494 IPC.
- **Guidance for Courts:** Reinforces need for specificity in FIRs and charge sheets.
- **Practical Impact:** Reduces misuse of dowry harassment provisions against in-laws without evidence.

In short: The Supreme Court drew a clear line—only specific, proven acts can sustain charges under Sections 498A and 494 IPC. Vague allegations against in-laws were quashed, but the husband still faces trial for cruelty and bigamy.

8. Hem Raj v. State of Himachal Pradesh: 2026 INSC 332 –

In *Hem Raj v. State of Himachal Pradesh*, 2026 INSC 332, the Supreme Court clarified sentencing under the NDPS Act: while separate punishments for distinct offences (Sections 20(b)(ii)(C), 25, and 29) are legally permissible, fines must also run concurrently when imprisonment is ordered concurrently. The Court directed Hem Raj's immediate release, as he had already served over 11 years including remission.

Case Background

- **Incident (Dec 2014):** Police stopped a car at Tunnuhatti Barrier, Himachal Pradesh.
- **Recovery:** 4.1 kg of *charas* found under Hem Raj's leg space.
- **Charges:**
 - **Section 20(b)(ii)(C) NDPS:** Possession of commercial quantity.
 - **Section 25 NDPS:** Allowing vehicle to be used for offence.
 - **Section 29 NDPS:** Criminal conspiracy.

Procedural History

- **Trial Court (2019):** Convicted Hem Raj and co-accused; sentenced to **12 years RI + ₹1,20,000 fine** for Section 20 offence, and another **12 years RI + ₹1,20,000 fine** for Section 25/29 offences. Sentences to run concurrently.
- **High Court (2023):** Reduced imprisonment to **10 years**, but maintained separate fines.
- **Supreme Court (2026):** Held fines must also run concurrently; Hem Raj had already completed sentence. Ordered release.

Supreme Court's Key Findings

- **Independent Offences:** Sections 25 and 29 are distinct offences, so separate convictions are valid.
- **Concurrent Punishments:** When imprisonment is concurrent, fines must also be treated as concurrent, since both are “punishments” under Section 53 IPC.
- **Double Jeopardy Principle:** Prevents duplication of financial penalties for the same transaction.
- **Immediate Release:** Hem Raj had already served ~11 years including remission and default imprisonment for fine.

Significance

- **Clarifies NDPS Sentencing:** Courts must align fines with concurrent imprisonment orders.
- **Protects Against Excessive Punishment:** Prevents double financial burden for same transaction.
- **Guidance for Trial Courts:** Ensures sentencing orders are consistent and legally sustainable.

In short: The Supreme Court confirmed Hem Raj’s conviction but harmonized sentencing by ruling fines must run concurrently with imprisonment, ensuring fairness under NDPS Act sentencing.

9. Samarendra Nath Kundu v. Sadhana Das: 2026 INSC 304

In *Samarendra Nath Kundu v. Sadhana Das*, 2026 INSC 304, the Supreme Court held that once a Magistrate has validly taken cognizance of an offence, a later requirement of sanction under Section 197 CrPC cannot nullify that cognizance. The Court upheld proceedings against police officers accused of murder during an election-day lathi charge.

Case Background

- **Incident:** Violent clashes broke out on an election day in West Bengal. Police conducted a lathi charge.
- **Victim:** Husband of complainant Sadhana Das allegedly died due to police assault.
- **Accused:**
 - Sankaran Moitra (ACP)
 - S.M. Kundu (Officer-in-Charge, Phoolbagan PS)
 - Sudhir Sikdar (Constable)
- **Complaint:** Alleged murder under **Sections 302, 201, 109, 120B IPC**.

Procedural History

- **Magistrate (2001):** Took cognizance and summoned accused.
- **High Court (2003):** Dismissed plea for quashing, holding beating a person to death is not an act in discharge of official duty.

- **Supreme Court (2006):** Allowed appeal of Moitra, holding sanction under Section 197 CrPC was required for acts done in official capacity.
- **High Court (2012):** Directed Magistrate to proceed against Kundu and Sikdar, distinguishing Moitra's case.
- **Supreme Court (2026):** Dismissed appeal of Kundu and Sikdar, upheld validity of cognizance.

Supreme Court's Key Findings

- **Section 197 CrPC (Sanction to Prosecute):**
 - Protects public servants for acts done in discharge of official duty.
 - But once cognizance is validly taken, later requirement of sanction cannot invalidate it.
- **No Nullification Provision:** CrPC contains no clause that retrospectively nullifies cognizance.
- **Gravity of Allegations:** Murder charges cannot be shielded by sanction provisions.
- **Consistency:** Cognizance taken in 2001 was valid; subsequent developments did not erase it.

Significance

- **Clarifies Law on Sanction:** Cognizance once validly taken remains effective even if sanction is later required.
- **Limits Immunity:** Public servants cannot escape prosecution for grave offences like murder by invoking Section 197.
- **Guidance for Courts:** Ensures that sanction provisions are not misused to derail serious criminal trials.

Quick Comparison of Court Rulings

Court Level	Decision	Reasoning	Supreme Court's Response
Magistrate	Took cognizance	Complaint disclosed murder	Valid
High Court (2003)	Dismissed quash plea	Murder not in discharge of duty	Correct
Supreme Court (2006)	Allowed Moitra's appeal	Sanction required for ACP	Applied only to Moitra
High Court (2012)	Directed trial against Kundu & Sikdar	Distinguished Moitra's case	Correct
Supreme Court (2026)	Upheld cognizance	No nullification of valid cognizance	Final ruling

In short: The Supreme Court confirmed that sanction under Section 197 CrPC cannot retrospectively invalidate cognizance already taken, ensuring trial proceeds against police officers accused of murder during election violence.

10. Deepa Joshi v. Gaurav Joshi: 2026 INSC 370

In *Deepa Joshi v. Gaurav Joshi*, 2026 INSC 370, the Supreme Court enhanced the wife's monthly maintenance from ₹15,000 to ₹25,000, ruling that loan deductions and voluntary financial commitments cannot reduce a husband's primary duty to provide fair and dignified support to his spouse.

Case Background

- **Marriage:** 7 May 2023, New Delhi.
- **Separation:** Within a year, wife left matrimonial home due to alleged harassment and neglect.
- **Maintenance Claim:** Filed under **Section 144 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS)**, seeking ₹50,000/month.
- **Family Court (Feb 2025):** Awarded ₹8,000/month, citing husband's salary deductions.
- **High Court (June 2025):** Enhanced to ₹15,000/month.
- **Supreme Court (April 2026):** Further enhanced to ₹25,000/month.

Supreme Court's Key Findings

- **Loan Deductions Not Essential Expenditure:** Repayments for loans that create assets (e.g., housing, car) are voluntary commitments and cannot dilute maintenance obligations.
- **Primary Duty of Husband:** Maintenance is a continuing, enforceable duty that ensures the wife's dignity and prevents destitution.
- **Fair Standard of Living:** Maintenance must be commensurate with the husband's income and the couple's social status.
- **Precedents Relied On:**
 - *Chaturbhuj v. Sita Bai* (2008)
 - *Shamima Farooqui v. Shahid Khan* (2015)
 - *Rajnesh v. Neha* (2021)

Financial Details

- **Husband's Employment:** Manager at Canara Bank.
- **Gross Monthly Income:** ₹1,15,670.
- **Supreme Court's Order:**
 - Maintenance fixed at **₹25,000/month**.
 - Arrears to be cleared within **3 months**.
 - Monthly payments to be made by the **7th of each calendar month**.

Significance of the Judgment

- **Strengthens Women's Rights:** Reinforces that maintenance must be realistic and not illusory.
- **Clarifies Law:** Voluntary financial liabilities cannot override statutory duty to maintain spouse.
- **Guidance for Courts:** Salary deductions for asset creation should not reduce effective income for maintenance calculations.

In short: The Supreme Court ensured that Deepa Joshi receives ₹25,000/month maintenance, affirming that a husband's duty to maintain his wife cannot be compromised by voluntary loan repayments or asset-building expenses.

11. Balaji Jaiswal v. State of Chhattisgarh: 2026 INSC 368

In *Balaji Jaiswal v. State of Chhattisgarh*, 2026 INSC 368, the Supreme Court quashed charges under Section 306 IPC (abetment of suicide), ruling that mere allegations of an illicit relationship without evidence of instigation, mens rea, or proximate acts cannot constitute abetment.

Case Background

- **Deceased:** Komal Sahu, found hanging from a babool tree in Kabirdham district, Chhattisgarh (Oct 2024).
- **Allegations:**
 - His wife, Revati Bai, allegedly had an illicit relationship with appellant Balaji Jaiswal.
 - Relatives claimed humiliation and distress drove Komal to suicide.
- **Charges:** Section 306 IPC (abetment of suicide) and Section 34 IPC (common intention).

Procedural History

- **Trial Court (Dec 2024):** Framed charges under Sections 306/34 IPC based on witness statements.
- **High Court (Apr 2025):** Dismissed revision petition, upheld charges.
- **Supreme Court (Apr 2026):** Set aside High Court's order, quashed charges against Jaiswal.

Supreme Court's Key Findings

- **Mens Rea Essential:** Abetment requires proof of intention to provoke, incite, or aid suicide.
- **Proximity of Acts:** Instigation must be closely linked to the act of suicide.
- **Illicit Relationship Alone Insufficient:** Allegations of adultery or humiliation, without direct instigation, do not meet Section 306 IPC requirements.
- **Legal Principle:** "To attract abetment of suicide, there must be direct or indirect acts of instigation... placing the victim in a position with no option but suicide."

Significance of the Judgment

- **Clarifies Scope of Section 306 IPC:** Protects individuals from criminal liability based solely on moral or social disapproval of relationships.
- **Prevents Misuse:** Ensures courts demand concrete evidence of instigation before framing charges.
- **Guidance for Lower Courts:** Highlights need for careful scrutiny of witness statements and circumstances before invoking abetment provisions.

In short: The Supreme Court ruled that allegations of an illicit relationship, without proof of instigation or intention, cannot sustain abetment of suicide charges under Section 306 IPC, thereby protecting Balaji Jaiswal from wrongful prosecution.