JULY MONTH DIGEST

1. **SARAFAT ALI (DEAD) THROUGH LRS & ORS. V. DEPUTY DIRECTOR OF CONSOLIDATION, HARIDWAR & ORS: 2026 INSC 652-**

Facts

- Appellants' predecessors purchased land via a **registered sale deed (04.06.1957)**.
- Mutation was allowed in their favour in **1984**.
- During **1991 consolidation proceedings**, their names were omitted from records.
- They relied on the sale deed to claim ownership.
- Consolidation authorities, appellate authority, revisional authority, and High Court all rejected their claim, holding the sale deed was not properly proved.
- Appellants approached the Supreme Court.

Issue

Whether **minor discrepancies regarding the attesting witness** were sufficient to rebut the **presumption of genuineness** attached to a registered sale deed?

Held

- A **registered sale deed** carries a **strong presumption of genuineness and due execution**.
- The **burden of proof** lies heavily on the challenger to establish fraud, coercion, or illegality.
- Unlike **Wills or gifts, attestation is not a statutory requirement** for sale deeds.
- Minor variations in witness details decades later cannot dislodge the statutory presumption.

Ratio Decidendi

- **Presumption of genuineness** attached to registered sale deeds is robust.
- **Attestation discrepancies** are immaterial unless they strike at the root of the transaction.
- Courts must distinguish between documents requiring attestation (like Wills) and those where it is not mandatory (like sale deeds).

Outcome

- **Appeal allowed.**
- Judgments of High Court and consolidation authorities **set aside**.
- Appellants' names directed to be **entered in revenue records as tenure holders**.

This case is a **landmark reaffirmation** that **registered sale deeds enjoy statutory presumption of validity**, and trivial witness discrepancies cannot undo decades-old transactions.

2. ***MOHAMMED KHALEEL (D) THROUGH LRS & ORS. V. JAYAMMA* (2026 INSC 651):**

Facts of the Case

- **Agreement to Sell:** Executed in **December 1990** for immovable property.
- **Consideration:** Part payment made as earnest money; balance payable within **four months** at execution of sale deed.
- **Disputes:** Several legal notices exchanged between parties.
- **Suit:** Purchaser filed suit for **specific performance** in **December 1993**.
- **Trial Court:** Decreed in favour of purchaser.
- **High Court:** Reversed decree, dismissed suit holding purchaser failed to prove readiness and willingness.
- **Supreme Court:** Appeal filed challenging High Court's judgment.

Issues

1. Did the appellant prove **continuous readiness and willingness** under **Section 16(c) of the Specific Relief Act, 1963**?
2. Did the **delay of nearly three years** in filing the suit, though within limitation, disentitle him to equitable relief of specific performance?

Ratio Decidendi

- A plaintiff seeking specific performance must **continuously prove readiness (financial capacity) and willingness (conduct)** from the date of agreement until decree.
- **Financial documents created long after filing the suit** cannot establish readiness at the relevant time.
- **Unexplained delay** in approaching the court, even within limitation, is a valid ground to refuse discretionary equitable relief.
- Since the appellant failed to show sufficient funds at the relevant time, did not actively pursue permissions, and delayed filing the suit, he did not satisfy **Section 16(c)** requirements.

Outcome

- **Supreme Court dismissed the appeal.**
- High Court's judgment refusing specific performance was **upheld**.

Key Takeaways

- **Specific performance is discretionary**; courts consider conduct, readiness, and timeliness.
- **Limitation period compliance alone is not enough**—equity demands diligence.
- **Continuous readiness and willingness** must be proven with contemporaneous evidence, not retrospective documents.

This case is a **classic illustration** of how courts balance **legal rights vs equitable discretion** in specific performance suits.

3. *SARDARI LAL V. BISHAN DASS & ORS.* (2026 INSC 669):

Facts of the Case

- **Testator:** Chhajju Ram, an illiterate agriculturist, died intestate and childless.
- **Widow:** Bhambo Devi filed suit claiming exclusive ownership as sole Class I heir.
- **Dispute:** Defendants relied on a **registered Will** allegedly executed by Chhajju Ram in their favour, claiming they cared for him and his wife.
- **Trial Court:** Decreed in favour of widow, holding Will surrounded by suspicious circumstances.
- **First Appellate Court:** Affirmed Trial Court's decree.
- **High Court (Second Appeal):** Reversed findings, upheld Will.
- **Supreme Court:** Appeal filed by widow.

Issues

- Who bears the burden to satisfy the **judicial conscience** of the Court that the Will was executed with free will and full understanding of its contents?

Ratio Decidendi

- Since the testator was **illiterate**, a **heavy burden** lay upon the **propounders of the Will** to prove:
  - Free will,
  - Full understanding of contents,
  - Absence of fraud or undue influence.
- **Suspicious circumstances** (disposition in favour of non-relatives, complete disinheritance of widow) demanded **circumspect scrutiny**.
- Mere examination of attesting witnesses is **not sufficient**; propounder must dispel doubts and satisfy judicial conscience that the Will truly represents the testator's wishes.

Outcome

- **Supreme Court allowed the appeal.**
- Set aside High Court's judgment.
- Restored Trial Court's decree in favour of widow Bhambo Devi.

Key Takeaways

- **Burden of proof:** Lies on the **propounder of the Will**, especially when testator is illiterate or circumstances are suspicious.

- **Judicial conscience test:** Courts must be satisfied that the Will reflects the **true, free, and informed wishes** of the testator.
- **Suspicious circumstances:** Disinheritance of natural heirs or unnatural dispositions heighten scrutiny.

This case is a **landmark reaffirmation** of the principle that **Wills surrounded by suspicion require strict proof and careful judicial scrutiny**.

4. ***R. VERONICA & ANR. V. RUDRAYANI DEVAKI (D) THROUGH LRS. S. SATHA KUMAR & ORS.* (2026 INSC 703):**

Facts of the Case

- **Dispute:** Civil property ownership claimed through a **registered sale deed**.
- **Plaintiff:** Filed suit asserting absolute title and possession based on the sale deed.
- **Defendant:** Denied execution, alleged fraud.
- **Trial Court:** Decreed in favour of plaintiffs.
- **First Appellate Court:** Reversed Trial Court's decree.
- **High Court:** Restored Trial Court's decree.
- **Supreme Court:** Appeal filed by defendants.

Issues

- Must a **registered sale deed** be proved by examining an **attesting witness** under **Section 68 of the Indian Evidence Act, 1872**?

Ratio Decidendi

- A **sale deed** is **not a document required by law to be attested**.
- Section 68 applies only to documents where **attestation is mandatory** (e.g., **Wills**).
- The mere presence of attesting witnesses on a sale deed does **not trigger Section 68**.
- Therefore, proof of a registered sale deed does **not require examination of attesting witnesses**.

Outcome

- **Appeal allowed.**
- Matter **remitted back to the High Court** for rehearing.

Key Takeaways

- **Sale deeds ≠ Wills:** Attestation is optional for sale deeds, mandatory for Wills.
- **Section 68 Evidence Act:** Applies only to documents legally requiring attestation.
- **Registered sale deeds:** Carry presumption of validity; proof does not hinge on attesting witness testimony.

This case neatly complements *Sarafat Ali v. Deputy Director of Consolidation (2026 INSC 652)*, where the Court reinforced the **presumption of genuineness of registered sale deeds**. Together, they form a strong doctrinal pair for exam prep.

5. ***VENKATESHA & ANR. V. K.M. VENKATAMUNIYAPPA (D) THROUGH LRS. & ORS.* (2026 INSC 705):**

Facts of the Case

- **Original Owner:** Thimmadasappa owned land in **Survey No. 1/4**, sold in 1971.
- **Chain of Title:** Property conveyed through successive registered sale deeds, reaching **K.M. Venkatamuniyappa (plaintiff)** in 1973.
- **Re-grant:** In 1982, Government re-granted a **different property (Survey No. 162)** to Thimmadasappa.
- **Rectification Deed (1997):** Executed between plaintiff and his vendor, claiming the 1973 deed wrongly mentioned Survey No. 1/4 instead of Survey No. 162.
- **Problem:** Thimmadasappa (original transferor) was **not a party** to this rectification deed.
- **Suit:** Plaintiff claimed title over Survey No. 162 based on rectification deed.
- **Trial Court:** Dismissed suit.
- **First Appellate Court:** Reversed dismissal.
- **High Court:** Affirmed appellate decree.
- **Supreme Court:** Appeal by Thimmadasappa's sons.

Issues

- Can a **rectification deed** substitute one property with an entirely different property **without the participation and consent of the original transferor**?

Ratio Decidendi

- A **rectification deed** is meant only to **correct mistakes** in an existing document.
- It **cannot substitute or alter the identity of the property conveyed**.
- Such fundamental alteration requires **participation and consent of the original transferor**.
- A subsequent purchaser alone cannot change the subject matter of an earlier conveyance.
- Plaintiff's claim further weakened by **failure to seek mutation for nearly 10 years** after executing rectification deed.

Outcome

- **Supreme Court allowed the appeal.**
- Set aside judgments of First Appellate Court and High Court.
- Restored Trial Court's dismissal of the suit.

Key Takeaways

- **Rectification deeds ≠ fresh conveyances.** They only correct clerical or accidental errors.
- **Property identity cannot be changed** without consent of the original transferor.
- **Delay in asserting rights** (like mutation) undermines credibility of claims.
- Reinforces principle that **rectification cannot be misused to rewrite contracts or deeds**.

This case is a **landmark clarification** on the **scope of rectification deeds** under property law.

6. ***LAKSHMI V. GOPI & ORS.*** **(2026 INSC 709):**

Facts of the Case

- Plaintiff and defendants were siblings.
- Their mother died on **27.08.2011**.
- Plaintiff filed a **partition suit**, claiming ignorance of a **registered Will dated 22.03.1999** under which the mother allegedly bequeathed property to defendants 1, 2, 4, and 5.
- **Civil Court:** Held the Will was not proved under **Section 63 of the Indian Succession Act, 1925**, and passed a preliminary decree dividing property into 10 shares (plaintiff entitled to 2/10th).
- **High Court:** Reversed Civil Court's decree, upheld Will.
- **Supreme Court:** Appeal filed by plaintiff.

Issues

- How should courts determine the **genuineness of a Will**?

Ratio Decidendi (Guidelines laid down by SC)

1. **Sanctity of Wills:** Proof of a Will occurs after testator's death, hence requires special scrutiny.
2. **Signature of Testator:** Must be established under **Section 67 Evidence Act**, with recourse to **Sections 45 & 47** if needed.
3. **Attestation:** Will must be attested under **Section 63 ISA** — two attesting witnesses required.
4. **Sound Mind:** Testator must be of sound mind under **Section 59 ISA**, proved accordingly.
5. **Examination of Witness:** At least one attesting witness must be examined in court.
6. **Judicial Questions:** Court must ask:
    - Did the testator sign the Will?
    - Did he/she understand its nature?
    - Did he/she understand the effect of dispositions?
    - Did he/she sign knowing what it contained?

Outcome

- **Appeal allowed.**
- Matter remitted to **High Court for fresh hearing**.

Key Takeaways

- **Proof of Will = strict compliance** with Sections 59 & 63 ISA + Section 67 Evidence Act.
- **Suspicious circumstances** demand heightened judicial scrutiny.
- Courts must ensure the Will represents the **true, free, and informed wishes** of the testator.

This case, along with *Sardari Lal v. Bishan Dass (2026 INSC 669)*, forms a **doctrinal cluster on Wills**: both emphasize **judicial conscience** and **strict proof requirements**.

7. ***STATE OF WEST BENGAL V. KADER KHAN* (2026 INSC 718):**

Facts

- FIR lodged alleging victim was abducted from a disco in Kolkata, threatened at gunpoint, gangraped, and thrown from a moving car.
- Five accused named; three arrested early, two (including appellant) absconded.
- Chargesheet filed against those in custody; supplementary chargesheet later against absconders.
- Victim deposed in **2013** during trial of first three accused.
- Victim died on **13 March 2015**.
- After appellant's arrest, prosecution sought to admit victim's earlier deposition under **Section 33 Evidence Act** read with **Section 299 CrPC**.
- Trial Court allowed; High Court set aside; State appealed to Supreme Court.

Issues

- Whether a **formal magisterial order recording "absconding status"** is required under **Section 299 CrPC** before deposition can be used against an absconding accused.

Ratio Decidendi

- General rule: Witness must be examined in accused's presence.
- **Section 299 CrPC** is a statutory exception for absconding accused when witness is dead or unavailable.
- Two factual prerequisites:
    1. Accused is absconding.
    2. No prospect of immediate arrest.
- **No statutory requirement** for a formal magisterial order recording these facts before deposition.
- What matters is whether these essentials were established at the time of deposition.

- In this case:
  - Proclamation issued in 2012.
  - Chargesheet showed absconding status.
  - Deposition in 2013.
  - Arrest only three years later.
  - Victim died in 2015.
- Prerequisites satisfied; deposition admissible.
- Court noted **Section 335 BNSS, 2023** aligns with Section 299 CrPC.

Outcome

- **Supreme Court allowed the State's appeal.**
- Restored Trial Court's order admitting victim's earlier testimony.

Key Takeaways

- **Absconding accused exception:** Section 299 CrPC permits use of prior deposition if witness dies/unavailable.
- **No formal order needed:** What matters is factual proof of absconding and no immediate arrest prospects.
- **Continuity in law:** BNSS 2023 (Section 335) retains same principle.
- Strengthens prosecution in cases where **witness dies before absconding accused is tried**.

This case is a **landmark clarification** on evidentiary use of depositions against absconding accused, balancing fairness to the accused with protection of victims' testimony.

8. ***SAGAR V. STATE OF HARYANA* (2026 INSC 692):**

Facts

- Appellant was **16 years 6 months old** at the time of offence (October 2018).
- Accused of participating in an assault leading to death.
- Since offence was **heinous** and he was above 16, the **Juvenile Justice Board (JJB)** conducted a preliminary assessment under **Section 15 JJ Act, 2015**.
- JJB opined he had sufficient mental and physical capacity → case transferred to **Children's Court** under **Section 18(3)**.
- Children's Court **straightaway conducted Sessions trial** without passing mandatory order under **Section 19(1)** deciding whether child should be tried as adult.
- Convicted under **Section 302 IPC**, sentenced to 14 years RI.
- High Court affirmed conviction.
- Appeal before Supreme Court.

Issues

- Whether failure of the Children's Court to pass a **reasoned order under Section 19(1) JJ Act, 2015** vitiates the entire trial.

Ratio Decidendi

- **Section 19(1) JJ Act, 2015** imposes a **mandatory obligation** on Children's Court:
    - Must independently apply its mind.
    - Must pass a **reasoned order** deciding whether child should be tried as adult.
- This determination governs the **nature of proceedings** and cannot be bypassed.
- Relying on *Thirumoorthy v. State* (2024) 12 SCC 307, Court held:
    - Non-compliance with Section 19(1) renders subsequent trial **legally unsustainable**.
    - Trial conducted as adult without such order is **vitiated**.

Outcome

- **Conviction and sentence set aside.**
- Appellant **acquitted**.
- Supreme Court directed that **all Children's Courts must invariably pass a reasoned order under Section 19(1)** before commencing trial of a child transferred by JJB.

Key Takeaways

- **Children's Court ≠ automatic Sessions Court.** It must first decide mode of trial under Section 19(1).
- **Mandatory safeguard:** Protects juveniles from being tried as adults without judicial scrutiny.
- **Failure to comply = entire trial vitiated.**
- Reinforces principle that **procedural safeguards in JJ Act are substantive rights, not mere formalities**.

This case is a **landmark reaffirmation of juvenile justice safeguards**, ensuring that children cannot be tried as adults without a **judicially reasoned determination**.

9. *AAA V. LINDA SEMA* (2026 INSC 675):

Facts

- Victim: **8-year-old girl**, sexually assaulted in November 2019 by a senior student.
- Disclosure: Victim told her elder sister, a friend, and later the **Headmistress (Respondent No. 1)** and other school staff.
- School's response: Conducted their own "verification," including examining the child's private parts, decided not to report, and instructed silence.
- FIR later registered; chargesheet filed against juvenile and school staff under **Sections 176, 201, 120B IPC** and **Section 21(2) POCSO Act**.
- Trial Court discharged staff; High Court affirmed discharge.

- Supreme Court appeal followed.

Issues

- Does **direct information from a child victim** about sexual abuse constitute "knowledge" under **Section 19(1) POCSO Act**, thereby triggering mandatory reporting duty without independent verification?

Ratio Decidendi

- **Section 19(1) POCSO Act:** "Knowledge" includes awareness based on credible information received **directly from the child victim**.
- Duty to report is **immediate**; no independent inquiry or verification is permitted before reporting.
- **Section 21 POCSO Act:** Failure to report by any person (other than a child) attracts criminal liability.
- Applying this:
    - Headmistress, having received direct disclosure, had "knowledge" and was legally bound to report.
    - Her discharge was set aside; she is liable to prosecution under **Section 21 POCSO Act** and **Section 176 IPC**.
    - Other staff who did not receive direct disclosure were rightly discharged.

Outcome

- **Supreme Court allowed appeal in part.**
- Discharge of Headmistress set aside → liable to prosecution.
- Discharge of other teachers/staff upheld.

Key Takeaways

- **Direct disclosure by child = knowledge.**
- **Mandatory reporting duty** under Section 19(1) POCSO Act arises instantly.
- **No independent verification allowed**; delaying or suppressing disclosure is punishable.
- Reinforces **zero-tolerance approach** to non-reporting in child sexual abuse cases.

This ruling is a **critical precedent**: it makes clear that **schools, institutions, and individuals cannot "verify" or suppress disclosures**—they must **immediately report to police/SJPU**.

10. ***SHAURYA SUNIL KUMAR SINGH V. CENTRAL BUREAU OF INVESTIGATION* (2026 INSC 666):**

Facts

- Appellant arrested on **13 July 2025** in a CBI probe into cyber fraud, phishing scams, money laundering, and mule bank accounts.

- **Chargesheet filed on 2 September 2025** before Special Judge, CBI — within statutory 60/90-day period.
- Copy supplied to appellant on **23 September 2025**.
- Appellant argued prosecution failed to file **additional copies of chargesheet** required under **Section 193(8) BNSS** for supply to accused → claimed chargesheet incomplete.
- Filed application for **default bail under Section 187(3) BNSS**.
- Special Court rejected; High Court affirmed.
- Appeal to Supreme Court.

Issues

- Does **non-filing of additional copies of chargesheet under Section 193(8) BNSS** entitle accused to **default bail**?

Ratio Decidendi

- Distinction drawn between:
    1. **Non-filing of chargesheet within statutory period** → triggers indefeasible right to default bail.
    2. **Non-compliance with directory requirement of filing additional copies** → procedural lapse, does not revive default bail.
- Once chargesheet is filed within time, **right to default bail ceases**.
- Section 193(8) BNSS held **directory, not mandatory** in this context.
- Procedural defects in supply of copies cannot be equated with non-filing of chargesheet.

Outcome

- **Appeal dismissed.**
- Conviction not disturbed.
- Court directed appellant's **regular bail application** to be considered on merits.

Key Takeaways

- **Default bail** arises only if chargesheet itself is not filed within statutory period.
- **Additional copies requirement (Section 193(8) BNSS)** is directory; failure does not confer default bail.
- Reinforces principle: **procedural lapses ≠ substantive rights** under bail jurisprudence.

This ruling is a **major clarification under BNSS, 2023**, aligning with earlier CrPC jurisprudence on default bail.

11. *NEERAJ GUPTA V. PARDEEP KUMAR BANSAL* (2026 INSC 660):

Facts

- Following an altercation, appellant's father died.
- Police did not register FIR → appellant filed application under **Section 156(3) CrPC**.

- Proceedings initiated under **Section 200 CrPC**.
- Magistrate recorded **pre-summoning evidence**, summoned accused, and committed case (including **Section 302 IPC**) to Sessions Court.
- Charges framed only against one accused.
- High Court in revision remanded matter to Magistrate, holding that prosecution evidence under **Section 244 CrPC** had to be recorded before committal.
- Complainant challenged this before Supreme Court.

Issues

- Whether in a **complaint case involving offences exclusively triable by Sessions Court**, the Magistrate must record prosecution evidence under **Section 244 CrPC** before committing the case under **Section 209 CrPC**.

Ratio Decidendi

- **Section 244 CrPC** applies only to **warrant cases triable by Magistrate**.
- It has **no application** where offence is exclusively triable by Sessions Court.
- Under **Section 209 CrPC**, Magistrate's role is **administrative**:
    - Ensure statutory compliance (supply of documents under Sections 207/208 CrPC).
    - Commit case to Sessions Court.
- Magistrate is **not required to evaluate evidence or conduct pre-trial inquiry**.
- Requiring evidence at committal stage would force witnesses to depose twice, contrary to legislative intent (old committal inquiry abolished under 1898 Code to expedite trials).

Outcome

- **Supreme Court set aside High Court's remand order.**
- Restored revisions for fresh consideration on merits.
- Directed **expeditious disposal**.

Key Takeaways

- **Committal under Section 209 CrPC = administrative step**, not judicial inquiry.
- **Section 244 CrPC irrelevant** in cases triable exclusively by Sessions Court.
- Prevents duplication of witness testimony, ensuring **speedy trial**.
- Reinforces legislative scheme abolishing old committal inquiries.

This case is a **procedural landmark** clarifying the **limited role of Magistrates at committal stage** and preventing unnecessary delays in serious criminal trials.

12. *X V. STATE OF BIHAR* (2026 INSC 728):

Facts

- Appellant: Juvenile accused of committing an offence punishable with **minimum sentence of life imprisonment**.
- **Juvenile Justice Board (JJB):** Conducted preliminary assessment under **Section 15 JJ Act, 2015**; divergent opinion on child's mental/physical capacity.
- On complainant's appeal, matter transferred to **Children's Court under Section 18(3)** for trial as adult.
- Juvenile challenged maintainability, arguing offence did not qualify as "heinous offence" under **Section 2(54)** JJ Act.
- Contention: Life imprisonment should not be equated with a fixed term of seven years or more.
- High Court rejected contention; juvenile appealed to Supreme Court.

Issues

- Does an offence prescribing **minimum punishment of life imprisonment** fall within the definition of a **heinous offence** under **Section 2(54) JJ Act, 2015**?

Ratio Decidendi

- **Section 2(54) JJ Act:** Heinous offence = offence punishable with **minimum imprisonment of seven years or more**.
- Court held:
    - Minimum punishment of **life imprisonment** necessarily exceeds seven years.
    - Therefore, such offences **squarely fall within definition of heinous offence**.
- Rejected argument that life imprisonment cannot be equated with a term of years.
- Emphasized statutory focus on **minimum penalty prescribed**, not whether expressed as fixed term.
- Referred to *Child in Conflict with Law v. State of Gujarat* (2023 SCC OnLine Guj 3119) for factors in preliminary assessment.
- Discussed appellate court's role under **Section 101(2)** JJ Act.

Outcome

- Preliminary assessment and transfer to Children's Court held **legally sustainable**.
- **Appeal dismissed.**

Key Takeaways

- **Life imprisonment = minimum punishment exceeding seven years** → qualifies as heinous offence under JJ Act.
- **Section 2(54 JJ Act)** interpreted broadly to include offences prescribing life imprisonment.
- Reinforces strict scrutiny and transfer mechanism for juveniles accused of heinous crimes.
- Affirms appellate oversight under **Section 101(2)** JJ Act.

This case, read alongside *Sagar v. State of Haryana (2026 INSC 692)*, shows how the Supreme Court is **tightening procedural safeguards while clarifying substantive definitions** under the Juvenile Justice Act.

13. ***PRABHAKAR YESHWANT MASRAM V. SOU TULA NAMDEORAO JAIPURKAR*** **(2026 INSC 724):**

Facts

- Parties: A litigant and his advocate in a civil property dispute.
- They filed a **memorandum of appeal and stay application** containing certain statements.
- Opposing party alleged these were **false/incorrect**.
- **Appellate Court:** Directed criminal prosecution under **Sections 193, 199, 200 IPC** (perjury-type offences).
- **High Court:** Not only upheld but expanded findings, recording that a false affidavit was filed and that prosecution was expedient.
- Appellants challenged before Supreme Court.

Issues

- Does a **wrong statement** in pleadings amount to a **false statement** under Sections 199 and 200 IPC, justifying criminal prosecution?
- Can courts direct prosecution during pendency of substantive proceedings?

Ratio Decidendi

- **Distinction clarified:**
    - *Wrong statement* = inadvertence, mistake, typographical error.
    - *False statement* = deliberate assertion known to be untrue, made with intent to deceive or gain advantage.
- **Prosecution requires prima facie finding of deliberate falsehood**, not mere error.
- First court only found "wrong statements," not deliberate falsehood → prosecution order unsustainable.
- High Court's expansion of findings was impermissible; appellate court cannot improve order under appeal.
- Reaffirmed **Iqbal Singh Marwah v. Meenakshi Marwah (2005 INSC 129):**
    - Complaint under **Section 340 CrPC** should normally be filed **after conclusion of substantive proceedings**, not during pendency.
    - Prevents misuse of perjury proceedings to delay adjudication.

Outcome

- **Supreme Court quashed prosecution orders.**
- Reiterated that courts must proceed with substantive case instead of diverting into perjury complaints prematurely.

Key Takeaways

- **Wrong ≠ False:** Only deliberate falsehood attracts IPC Sections 199/200.
- **Section 340 CrPC safeguard:** Prosecution for perjury should follow final judgment, not interrupt ongoing proceedings.
- Prevents **misuse of perjury complaints** as a tactic to delay civil disputes.
- Reinforces judicial discipline in distinguishing **error vs intentional deceit**.

This ruling is a **major precedent for advocates and litigants**, ensuring that **mere mistakes in pleadings cannot trigger criminal liability** unless deliberate falsehood is established.

14. ***MANI @ SUBRAMANIYAM V. STATE* (2026 INSC 719):**

Facts

- Appellant involved in an altercation in a public place.
- Allegedly used **vulgar and abusive language**, assaulted complainant with a **billhook** (fractured nasal bone = grievous hurt), and threatened him with words to the effect: *"You had escaped this day. I will not rest until I hack you."*
- **Special Court:** Convicted under **Sections 294(b), 326, 506(ii) IPC** and SC/ST Act.
- **High Court:** Acquitted under SC/ST Act, but upheld IPC convictions.
- Appeal before Supreme Court.

Issues

- Does mere use of **vulgar/abusive language** amount to **obscenity** under **Section 294(b) IPC**?

Ratio Decidendi

- For conviction under **Section 294(b) IPC**, two elements must be proved:
    1. Accused committed an **obscene act** or uttered obscene words/song/ballad in or near a public place.
    2. Such act/words **caused annoyance** to others.
- **Obscenity ≠ vulgarity/abuse/profanity.**
- Mere use of swear words, profanities, or vulgar expletives, however distasteful, does **not amount to obscenity** in law.
- In absence of proof that words were obscene in the legal sense and caused annoyance, conviction under Section 294(b) cannot stand.

Outcome

- **Conviction under Section 294(b) IPC set aside.**
- Conviction under **Section 326 IPC (grievous hurt with dangerous weapon)** and **Section 506(ii IPC (criminal intimidation))** affirmed.

Key Takeaways

- **Legal distinction clarified:**
  - *Obscenity* = sexual or morally corrupt content that offends public decency.
  - *Vulgarity/abuse* = profanities or insults, not necessarily obscene.
- Section 294(b) IPC requires **both obscenity + annoyance**; abusive language alone is insufficient.
- Reinforces careful judicial scrutiny to avoid criminalizing mere bad language.

This case is a **landmark clarification** on the scope of **Section 294(b IPC)**, ensuring courts distinguish between **obscenity (punishable)** and **mere vulgar abuse (not punishable under 294(b))**.