AILET

Last Minute Revision for CLAT PG: Important Judgements for the Month of July- Part I

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Preparing for CLAT 2025 and looking for comprehensive resources? Read this post to go through Part I of the important judgements of July.

Delhi High Court Rules WhatsApp Chats Inadmissible Without Certification Under Indian Evidence Act

- Case: Dell International Services Private Limited v. Adeel Feroze and Ors
- Background: Dell challenged a decision by a district consumer commission, which had dismissed its written statement due to a delay in filing and cited a WhatsApp conversation with the complainant to explain the delay.
- The Delhi High Court emphasized that the admission of screenshots or printouts of WhatsApp conversations as evidence requires certification under Section 65B of the Indian Evidence Act. The court emphasized the importance of authenticity in electronic records, particularly in cases involving contractual disputes or other legally binding communications.
- Upholding the commission’s decision, the Court reaffirmed that electronic evidence must be certified in writing. It was made clear that unconfirmed electronic communications do not meet the standards of evidence in Indian law.

Patna High Court Grants Bail to Nigerian ISKCON Monk Detained Without Valid Travel Documents

- Case: Agastin Chinet Nevot @ Agustine Chinendu Nwaodu v. The State of Bihar
- Background: The Foreigners Act and the Passport Act provisions led to the apprehending of a Nigerian national associated with the ISKCON temple in Nepal near the India-Nepal border for traveling without proper documentation.

- The Patna High Court took note of the petitioner's association with ISKCON in Nepal and accepted documentation from the organization attesting to his monastic affiliation. Recognizing his intent as religious and non-criminal, the court acknowledged that his travels may have been motivated by religious service rather than an intention to violate Indian laws.
- Decision: Granting bail, the Court imposed a bond of ₹10,000 and required one surety to be the President of ISKCON Patna, thereby balancing legal requirements with recognition of the petitioner's religious status.

The Supreme Court Affirms the Right to a Speedy Trial Even in Serious Criminal Cases

- Case: Javed Gulam Nabi Shekh v. State of Maharashtra and Anr
- Background: A counterfeiting case had detained the petitioner for over four years without a trial. The delay in framing charges, despite the severity of the charges, raised concerns.
- The Supreme Court emphasized that the right to a speedy trial is a fundamental right under Article 21 of the Constitution, applicable even in cases of serious criminal allegations. The Court reiterated that prolonged detention without trial amounts to an infringement on an individual's liberty and emphasized that delayed justice is denied.
- On July 4, 2024, the Court granted bail to the petitioner and instructed lower courts to prioritise the resolution of long-pending trials, highlighting the right to timely justice for all individuals, regardless of the charges.

The NGT Constitutes a Committee to Combat Pollution in Srinagar's Dal Lake

- Case: Suo Motu- Dal Lake Pollution
- Background: A report detailing severe pollution in Dal Lake due to untreated sewage and waste from houseboats, adversely impacting the lake's ecosystem, was taken into consideration by the National Green Tribunal (NGT) suo motu.
- The NGT highlighted the environmental degradation affecting Dal Lake and stressed the need for immediate measures to prevent further pollution. The tribunal emphasized that Dal Lake is a vital ecological and cultural resource, and its preservation is crucial for local communities

and the broader environment.

- Directive: On July 4, 2024 , the NGT established a joint committee to identify pollution sources, hold violators accountable, and implement strict environmental guidelines for waste management, particularly concerning waste disposal from houseboats.

Allahabad High Court highlights misuse of the POCSO Act in Consensual Teen Relationships

- Case: Satish Alias Chand vs. State of UP
- Background: The teenager petitioner, claiming that his relationship with the complainant, also a minor, was consensual, filed the case under the POCSO Act due to family pressures.
- The Allahabad High Court recognized the misuse of the POCSO Act in cases involving consensual relationships between teenagers. The Court emphasized the need to differentiate between exploitation and consensual adolescent relationships, noting that the intent of the POCSO Act is to protect minors from abuse and not penalize mutual teenage relationships.
- The Court, in granting bail, emphasized the need to avoid weaponizing the POCSO Act in cases involving genuine teenage consent and advocated for a balanced approach in handling such sensitive cases.

Bombay High Court Denies Bail in BrahMos Spy Case Due to National Security Concerns

- Case: Nishant Agrawal v. Anti-Terrorist Squad, Lucknow
- Allegations of leaking sensitive defence data to foreign entities led to the arrest of an employee at the BrahMos missile centre in a joint ATS operation. Evidence included 19 classified files and international contacts.
- The High Court stressed the paramount importance of national security, especially concerning sensitive defense projects like BrahMos. The Court observed that the accused's possession of classified documents posed a severe security risk, and it prioritized national safety over individual rights in this case.
- Decision: The Court denied bail, emphasizing that in national security matters, the potential risk to the country surpasses the individual's right to liberty, particularly when presenting

credible evidence of espionage.

Madras High Court Declines to Stay Implementation of New Criminal Laws with Hindi Nomenclature

- Case: B Ramkumar Adityan v. Union of India
- A petitioner challenged the use of Hindi and Sanskrit names in the new criminal laws, arguing that it contravenes Article 348 of the Constitution, which prescribes English for legislative matters.
- The High Court observed that the naming of laws falls within Parliament's legislative intent and does not infringe constitutional mandates regarding language. It noted that the choice of nomenclature reflects broader cultural integration rather than any constitutional breach.
- The Madras High Court refused to stay the implementation of the laws while issuing notices to the Central government to provide a detailed response on the issue, emphasising the legislative prerogative in choosing nomenclature.