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Last Minute Revision for CLAT PG: Important Judgements for the Month of May- Part II

Indrasish Majumder · 20 Nov 2024

Preparing for CLAT 2025 and looking for comprehensive resources? Read this post to go through Part II of important judgments of May.

Rajasthan High Court: Tattoo Removal Scar Alone Not Grounds for Medical Disqualification

- Case: Union of India vs. Sanyogita
- Background: The Central government filed an appeal against a single-judge ruling that directed the appointment of a candidate in the Central Armed Police Forces (CAPF) despite having a tattoo removal scar on her forearm. The government argued that under the CAPF medical guidelines, a visible scar from tattoo removal could be a basis for medical disqualification, citing concerns about uniformity and discipline within the forces.
- The Rajasthan High Court held that a tattoo removal scar does not automatically indicate medical unfitness. The Court pointed out that the CAPF guidelines permit tattoos of small size on certain parts of the body, such as arms, for particular communities where tattooing is a cultural practice. It was emphasized that rejecting a candidate solely based on a tattoo removal scar without assessing its impact on health or functionality could lead to unjustified discrimination.
- Decision: The Rajasthan High Court dismissed the government’s appeal, upholding the single-judge’s decision. The Court stated that disqualifying a candidate solely due to a scar from tattoo removal violates principles of equality under Articles 14 and 16 of the Constitution, as it lacks a clear and fair basis for assessment of fitness.

Punjab and Haryana High Court Denies Anticipatory Bail to Man Charged with Stalking and Intimidation

- Background: A 34-year-old man, accused of stalking a Class XII student and intimidating her with a pistol, requested anticipatory bail. According to the FIR, the accused followed the victim, approached her with his phone number, and displayed a pistol to instill fear.
- Court's Observation: The Court expressed serious concern over the safety and psychological well-being of the victim and the broader community impact of such behavior. It noted that crimes involving stalking and intimidation, especially with weapons, are grave and disrupt public order. The Court underscored the need for public trust in legal protections against harassment and intimidation.
- Decision: The Punjab and Haryana High Court denied anticipatory bail, stressing that granting bail would undermine public safety and potentially embolden similar offenses. The Court highlighted the seriousness of the offence, reaffirming the judiciary's stance on protecting the rights of women and minors against intimidation and harassment.

Supreme Court: Accused Appearing by Summons Is Not in Custody

- Case: Tarsem Lal v. Directorate of Enforcement
- Background: The issue arose when the accused, Tarsem Lal, appeared before the court based on a summons issued under the Prevention of Money Laundering Act (PMLA). His defense argued that appearing on summons does not equate to being in custody, so the stringent conditions for bail under PMLA should not apply.
- The Supreme Court clarified that being in custody requires actual detainment or physical restraint, which is not the case when an individual voluntarily appears in response to a summons. The Court emphasized that, for purposes of PMLA bail, physical custody is essential, and appearance on a summons should not trigger the PMLA's "twin-test" bail criteria.
- The Court ruled that summons-appearing individuals are not in custody as intended by PMLA bail conditions, allowing Tarsem Lal to apply for regular bail without meeting PMLA's stringent requirements. This decision clarifies the legal understanding of custody under PMLA, reducing barriers for accused individuals appearing on summons.

The Delhi High Court Initiates Contempt Proceedings Against a Lawyer for Comments in a Video Hearing

- Case: Sanjeev Kumar vs. State NCT of Delhi
- Background: During a videoconferencing hearing, the lawyer, Sanjeev Kumar, made contemptuous remarks in the chat box, questioning the court's ability to deliver justice and criticizing its pace. The lawyer posted derogatory comments about the judiciary, accusing judges of being fearful and inefficient.
- The Delhi High Court condemned Kumar's comments as a serious breach of courtroom decorum and an affront to judicial authority. The court emphasized that such behavior undermines the dignity of judicial proceedings, particularly during virtual hearings, where maintaining professional boundaries is crucial.
- Decision: The High Court initiated criminal contempt proceedings, instructing the Registrar General to refer the matter to a division bench for further action. The division bench ordered the lawyer to appear, demonstrating strict adherence to judicial processes.

Supreme Court Expresses Displeasure Over Decade-Old Appeal Delays

- Case: Urban Improvement Trust v. Vidhya Devi and Ors
- Background: Since 2010, the State of Rajasthan has been pending an appeal regarding land acquisition compensation that dates back to 1976. The state sought further adjournments, citing procedural delays and additional instruction requirements.
- The Supreme Court expressed frustration with the state's repeated adjournment requests, noting that prolonged litigation violates the principle of timely justice. The Court pointed out that the case had seen notable involvement over the years, including by a former Chief Justice of India, Justice RM Lodha, yet it remained unresolved.
- Decision: The Supreme Court ruled against further adjournments, highlighting the urgent resolution of the appeal. The Court instructed both parties to submit any remaining documentation within ten days, reiterating the importance of efficient case management in upholding judicial accountability.

Punjab and Haryana High Court Upholds Quashing of FIR After Matrimonial Settlement

- Background: After reaching a full settlement with his estranged wife, the accused filed a Section 498A FIR, alleging cruelty. However, the wife asserted that coercion obtained her consent to the settlement, casting doubt on its validity.
- The High Court highlighted the importance of not using Section 498A, which aims to protect against dowry harassment, as a tool for personal revenge. The Court noted that the wife's claims of coercion lacked substantial evidence, as she had signed the affidavit in family court and did not contest it until much later.
- Decision: The Punjab and Haryana High Court quashed the FIR, underscoring the misuse of protective laws for harassment purposes. The decision reinforces that settlements in matrimonial cases, once voluntarily agreed upon, can provide grounds for quashing criminal proceedings under Section 498A.

The Kerala High Court Orders the Removal of Illegal Religious Structures on Government Land

- Case: The Plantation Corporation of Kerala Limited v. State of Kerala & Ors
- Background: The Plantation Corporation of Kerala reported the illegal construction of religious structures on government land by certain groups who argued that these sites had become places of worship for local workers.
- The Kerala High Court condemned the trend of constructing unauthorized religious structures on public land, warning that such actions undermine communal harmony and encourage unlawful encroachments. The court highlighted the need to regulate public spaces to prevent unauthorized religious activities from exploiting government property.
- Directive: The High Court directed the state to dismantle all illegal religious structures on public land and provide an annual report on the progress. This decision reinforces the protection of government property and aims to prevent misuse of public spaces under the guise of religious practices.