BLOGS

Landmark Judgements on Article 20 of the Indian Constitution

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Introduction

Article 20 of the Constitution of India constitutes a pivotal fundamental right, safeguarding the rights of accused individuals and convicts. This post contains summary of landmark judgements on Article 20.

Article 20 encompasses three crucial provisions:

Article 20(1) pertains to ex-post facto laws, preventing retroactive legal consequences for past actions, and distinguishing between the prospective and retrospective nature of laws;

Article 20(2) establishes the principle of double jeopardy, safeguarding against multiple prosecutions or penalties for the same offense; and

Article 20(3) ensures the right against self-incrimination, empowering individuals to abstain from providing potentially self-damaging testimony. Collectively, these principles fortify a just legal framework, preserving individual rights and equitable treatment within the Indian legal system.

Landmark Judgements on Article 20

Here is a summary of landmark judgements on Article 20 of the Indian Constitution:

Sajjan Singh v. State of Punjab

Section 5(3) of the Prevention of Corruption Act, addressing disproportionate income cases, necessitates individuals to substantiate the legitimacy of assets that appear exceedingly disproportionate to their earnings.

In this context, the pivotal concern emerges regarding the compliance of such a provision with the safeguards enshrined in Article 20 of the Constitution. In a legal challenge posed by Sajjan Singh, who cited the law's enactment in 1947 subsequent to a 1948 search operation, while asserting the accumulation of disproportionate assets since 1920, the core contention centers on the prospect of retrospective imposition of liability.

However, the Court's ruling pivoted on Article 20(1)'s principle, which guards against retroactively intensifying penalties or liabilities. The Court discerned the distinction between altering the burden of proof, as outlined in Section 5(3), and augmenting legal ramifications.

Conclusively, the Court determined that the obligation to provide pre-1947 asset receipts did not constitute a retrospective imposition of liability, as it pertained solely to the evidentiary aspect and did not enhance punitive consequences, aligning with the interpretation that such evidentiary shifts lay outside the scope of Article 20(1).

Ratanlal v. State of Punjab

In a case involving a sixteen-year-old boy who trespassed on private property and committed a molestation offense, he was initially found guilty, resulting in imprisonment and a fine.

The subsequent enactment of the Prohibition of Offenders Act, specifying that those under twenty-one be sent to juvenile facilities, raised a Supreme Court question on retroactivity. The Government cited Article 20, barring harsher retroactive punishment.

The Court, led by Justice Subba Rao, emphasized the law's benevolent intent and extended it ex-post-facto, mitigating punishment. Therefore, article 20(2) was invoked, clarifying "double jeopardy" concerns.

Kedar Nath v. State of Bengal

The Hon'ble Supreme Court of India emphasized that legislative acts characterizing actions as criminal offenses along with their corresponding penalties inherently operate on a prospective basis.

Applying such laws retrospectively, as cautioned by the Court, would run counter to the safeguards enshrined in Article 20 (1) of the Indian Constitution. This principle serves to protect individuals from facing punitive measures for actions committed prior to the establishment of the relevant legal provisions, thereby upholding the fundamental principles of justice and fairness integral to the constitutional framework.

Maru Ram etc v. Union of India

The Court's discerning observation pertained to the encompassing scope of Article 20 (1), elucidating that it encompasses a pivotal tenet preventing the imposition of penalties more severe than those in force at the commencement of an offence.

This principle safeguards individuals from facing heightened retrospective punishments, underscoring the imperative of maintaining consistency between the legal consequences applicable at the time of the offense and any subsequent alterations to the penalty framework.

By adhering to this principle, the Court reinforces the foundational elements of fairness, proportionality, and legal certainty within the Indian legal system.

Maqbool Hussain v. State of Bombay

In this specific case, an individual was found in possession of a certain quantity of gold, which was in violation of the prevailing local law. The customs authority seized the gold, and subsequently, the person faced prosecution in a criminal court.

The central issue before the court revolved around the concept of Double Jeopardy, wherein it had to determine whether this sequence of events constituted a violation of the principle. The court was tasked with evaluating whether the individual could be subjected to multiple legal actions and penalties for the same offence of possessing illicit gold, given that both the confiscation by customs and the subsequent criminal prosecution were implicated.

Selvi v. State of Karnataka

The Supreme Court ruled that the mandatory application of certain scientific techniques—namely, narcoanalysis, polygraph examination, and the Brain Electrical Activation Profile (BEAP)—possesses a 'testimonial' nature, thereby invoking the safeguards of Article 20(3) of the Constitution.

The techniques involved include polygraph tests for lie detection, narcoanalysis which administers truth serum to elicit responses while in a semi-conscious state, and brain mapping which analyzes brain signals during recollection.

The primary defense against their challenge was that these measures don't entail voluntary statements but rather scientific procedures akin to blood tests. However, Selvi's judgment rejected this analogy, deeming the techniques not comparable to neutral blood tests.

Instead, they were likened to oral testimonies as answers are elicited via devices, directly involving the accused, in contrast to blood tests which remain impartial and detached.

State of Rajasthan v. Mohan Lal

The Narcotics, Drugs and Psychotropic Substances Act held relevance in the present case, where a contention arose that Article 20 of the Constitution exclusively prohibits the imposition of penalties or convictions based on ex post facto legislation, but does not extend to restraining the trial or prosecution process itself.

Furthermore, it was contended that a trial conducted utilizing a distinct procedural framework from the one in force at the time of the offense does not necessarily adhere to the same limitations, and thus cannot be deemed constitutionally invalid.

This perspective underscores the nuanced interpretation of Article 20 within the context of the mentioned Act, highlighting the balance between safeguarding individual rights against retrospective punishment and maintaining the constitutional integrity of trial procedures that may evolve over time.