

CASE LAW UPDATES

Top 5 Supreme Court Judgments of 2022

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Understanding the top landmark judgments of 2022 is essential for every CLAT PG aspirant, as this set of Supreme Court rulings reshaped reservation law, criminal procedure, reproductive rights, and the enforcement powers of investigative agencies in India.

1. [Janhit Abhiyan v. Union of India, 2022 SCC OnLine SC 1540](https://indiankanoon.org/doc/98959833/)

Facts

Parliament enacted the Constitution **(One Hundred and Third Amendment) Act, 2019**, inserting **Articles 15(6)** and **16(6)** to introduce a 10 percent reservation for Economically Weaker Sections in higher education and public employment.

Several petitioners challenged the amendment, arguing that reservation based purely on economic criteria, while simultaneously excluding SC, ST, and OBC candidates from this quota, violated the equality code and the basic structure of the Constitution.

Issues

- Whether reservation based solely on economic criteria, without any reference to social or educational backwardness, is constitutionally permissible under the equality provisions.
- Whether excluding SC, ST, and OBC candidates from the EWS quota amounted to discrimination
- Whether breaching the 50 percent ceiling for this specific quota violated the basic structure doctrine.

Judgment

The Supreme Court upheld the **103rd Amendment by a 3:2 majority, holding that economic criteria alone can form a valid basis for affirmative action and does not, by itself, violate the equality code or the basic structure.**

The majority reasoned that excluding SC, ST, and OBC candidates from the EWS quota is justified since they already benefit from separate reservation categories, and this exclusion does not amount to discrimination against them.

The two dissenting judges held that permanently excluding the most disadvantaged classes from a poverty-based quota was itself discriminatory, though their view did not prevail.

2. <u>S.G. Vombatkere v. Union of India, 2022 SCC OnLine SC 609</u>

Facts

The petitioner challenged the *constitutional validity of Section 124A of the Indian Penal Code, the colonial-era sedition provision, arguing that it had a chilling effect on free speech and was frequently misused against journalists, activists, and political dissenters.*

The Union government, midway through the hearing, informed the Court that it intended to reconsider and re-examine the provision at the executive level.

Issues

- Whether [<u>Section 124A</u>, in its present form, violates the freedom of speech and expression guaranteed under \[<u>Article 19\\(1\\)\\(a\\). </u>\]\(https://indiankanoon.org/doc/1218090/\)](https://indiankanoon.org/doc/1641007/)

- What interim measures were necessary while the constitutional validity of the provision remained under examination and the government proceeded with its own review.

Judgment

The ***Supreme Court did not strike down Section 124A but directed that all pending trials, appeals, and proceedings under the provision remain in abeyance, and that no fresh FIRs be registered under it until the Union government completed its re-examination.***

It urged both the central and state governments to refrain from invoking the provision in the interim, effectively placing the sedition law in a state of suspension. The order marked an unusual judicial intervention that paused an entire penal provision without formally deciding its constitutionality.

3. <u>State of Jharkhand v. Shailendra Kumar Rai, 2022 SCC OnLine SC 1494</u>

Facts

The case arose from an appeal against the acquittal of an accused in a rape case, where the Jharkhand High Court had relied partly on findings from a *two-finger test conducted on the survivor to assess her sexual history*.

The Supreme Court took note of this discredited forensic practice, which examines the state of the hymen and vaginal laxity, while deciding the criminal appeal before it.

Issues

- Whether the two-finger test, still practised despite prior judicial disapproval, violates a sexual assault survivor's fundamental rights under Article 21.

- What binding directions were necessary to ensure the practice does not continue to influence criminal investigation and trial outcomes.

Judgment

The Supreme Court **declared the two-finger test to have no scientific basis and held that its continued use violates the survivor's right to privacy, dignity, and physical and mental integrity under [Article 21](#).**

It directed the central and state governments to ensure that healthcare providers stop conducting the test and to incorporate this prohibition into medical curricula and guidelines for examining sexual assault survivors. *The Court also warned that any medical professional found conducting the test going forward would be guilty of misconduct.*

4. <u>X v. Principal Secretary, Health and Family Welfare Department, Govt. of NCT of Delhi, (2022) 8 SCC 574</u>

Facts

An unmarried woman, in a consensual relationship, sought to terminate her twenty-two-week pregnancy after the relationship ended, but the Delhi High Court denied her relief since [Rule 3B of the Medical Termination of Pregnancy Rules, 2003](#), listed specific categories of women eligible for termination up to twenty-four weeks and did not include unmarried women whose pregnancy arose from a consensual relationship.

She approached the Supreme Court challenging this exclusion.

Issues

- Whether restricting **access to abortion up to twenty-four weeks based on marital status violates the right to reproductive autonomy and equality under [Articles 14](https://indiankanoon.org/doc/367586/) and 21.**
- Whether the term **"change of marital status"** under Rule 3B should be interpreted narrowly or read to include unmarried women facing a change in their relationship status.

Judgment

The Supreme Court held that **denying unmarried women the same right to abortion available to married women, based purely on marital status, violates their right to reproductive autonomy and dignity under Article 21.**

It read the MTP Rules purposively to include unmarried women within the twenty-four-week category, holding that the law must recognise every woman's right to make reproductive choices regardless of her marital status.

The Court also clarified that the term **"husband" in the marital rape exception under the MTP Act must be read as "partner" for the purpose of determining pregnancy** from sexual assault within a relationship.

5. [Vijay Madanlal Choudhary v. Union of India, 2022 SCC OnLine SC 929](https://indiankanoon.org/doc/14485072/)

Facts

A batch of petitioners challenged several provisions of the Prevention of Money Laundering Act, 2002, arguing that the wide powers of arrest, search, and seizure given to the Enforcement Directorate, along with the reversed burden of proof and stringent bail conditions under [Section 45](#), violated constitutional protections available to an accused.

The petitioners also argued that the *Enforcement Case Information Report should be treated on par with an FIR and supplied to the accused as a matter of right.*

Issues

- Whether the twin conditions for bail under Section 45, reintroduced after being struck down in [<u>Nikesh Tarachand Shah v. Union of India</u>, were constitutionally valid.](https://indiankanoon.org/doc/117859307/)
- Whether PMLA proceedings qualify as criminal prosecution attracting ordinary procedural safeguards, and whether the ECIR must be supplied to an accused in the same manner as an FIR.

Judgment

The Supreme Court **upheld the constitutional validity of the ED's powers of arrest, search, seizure, and attachment, along with the reversed burden of proof under Section 24 and the twin conditions for bail under Section 45.**

It held that the ECIR is an internal document of the Enforcement Directorate and, unlike an FIR, need not be supplied to the accused, since disclosure of the grounds of arrest suffices to meet constitutional requirements.

The Court characterised money laundering as a distinct and grave economic offence, justifying a stricter procedural regime than ordinary criminal law, though this ruling later attracted several review petitions on specific aspects.



Top Landmark Judgments of 2022

Key rulings that shaped reservation law, free speech, reproductive rights and enforcement powers



1

Janhit Abhiyan v. Union of India (2022 SCC OnLine SC 1540)

Facts

- 103rd Amendment (2019) introduced 10% reservation for EWS in education and public employment.
- Petitioners challenged it, alleging it violated equality and basic structure.

Issues

- Whether economic criteria alone is valid for reservation.
- Whether excluding SC/ST/OBCs is discriminatory.
- Whether it breaches the 50% ceiling.



Judgment

- Upheld the 103rd Amendment (3:2 majority).
- Economic criteria alone can form a valid basis for affirmative action.
- Excluding SC/ST/OBCs from EWS is justified as they benefit from separate quotas.
- Reaffirmed the 50% ceiling as a firm constitutional limit.
- After the 102nd Amendment, only the President (on NCBC recommendation) can identify OBCs for state lists.



2

S.G. Vombatkere v. Union of India (2022 SCC OnLine SC 609) (Pegasus Snoopgate Case)

Facts

- Alleged use of Israeli-made Pegasus spyware to surveil journalists, activists, opposition leaders and others.
- Govt. refused detailed affidavit, citing national security.

Issues

- Whether spyware violates right to privacy under Article 21 (K.S. Puttaswamy).
- Whether blanket refusal to disclose information can shield the govt. from judicial scrutiny.



Judgment

- Did not strike down Section 124A.
- Directed all pending trials, appeals and proceedings to remain in abeyance.
- No fresh FIRs under the provision till govt. re-examines it.
- Urged govt. to refrain from invoking it in the interim.
- Placed the sedition law in a state of suspension.

3

State of Jharkhand v. Shailendra Kumar Rai (2022 SCC OnLine SC 1494)

Facts

- HC relied partly on a two-finger test to assess the survivor's sexual history.
- SC noted this discredited forensic practice.

Issues

- Whether the two-finger test violates survivor's rights under Article 21.
- What directions are needed to stop its use.



Judgment

- Declared the two-finger test to have no scientific basis.
- Held it violates privacy, dignity and physical & mental integrity under Article 21.
- Directed govt. to stop the test, include the ban in medical curricula and guidelines.
- Warned that any medical professional doing it would be guilty of misconduct.

4

X v. Principal Secretary, Health and Family Welfare Dept., Govt. of NCT of Delhi (2022) 8 SCC 574

Facts

- Unmarried woman sought to terminate 22-week pregnancy; Delhi HC denied relief as MTP Rules listed specific categories and did not include unmarried women in consensual relationships.
- She approached the SC.



Issues

- Whether restricting abortion up to 24 weeks based on marital status violates Article 14 & 21.
- Whether "change of marital status" in Rule 3B should be read to include unmarried women.

Judgment

- Held denying unmarried women the same right as married women violates reproductive autonomy and dignity under Article 21.
- Read MTP Rules purposively to include unmarried women within 24 weeks.
- "Husband" in the marital rape exception must be read as "partner".



5

Vijay Madanlal Choudhary v. Union of India (2022 SCC OnLine SC 929)

Facts

- Challenged PMLA provisions giving ED wide powers of arrest, search, seizure, reversed burden of proof and stringent bail conditions.
- Sought ECIR to be treated like an FIR and supplied to the accused.



Issues

- Whether Section 45 twin conditions for bail are valid.
- Whether PMLA is criminal prosecution with usual safeguards.
- Whether ECIR must be supplied like an FIR.

Judgment

- Upheld the validity of ED's powers of arrest, search, seizure and attachment.
- Reversed burden of proof under Section 24 and twin conditions for bail under Section 45.
- Held ECIR is an internal document; not required to be supplied, as disclosure of arrest grounds suffices.
- Treated money laundering as a distinct and grave economic offence, justifying a stricter regime.