Cassie

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DAILY

Court Digest

The day's most significant judgments from India's courts.

IN TODAY'S DIGEST

- **Bank must refund card fraud reported within 3 hrs: Karnataka HC**
- **Termination for hidden antecedents needs proof of knowledge: SC**
- **CCTV without 65B certificate sinks a death sentence: P&H HC**
- **Insider trading liability attaches on mere possession of UPSI regardless of profit.**

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Criminal Issues
White Collar Crimes (Money laundering, Insider Trading, Financial Frauds, Tax Evasion, Foreign exchange, etc.)

SUPREME COURT

Insider trading liability attaches on mere possession of UPSI regardless of profit.

The dispute. Three promoters of Tara Jewels Ltd sold substantial shareholdings between October and November 2017 while in possession of unpublished price-sensitive information about impending liquidation, avoiding an estimated loss of Rs 1.38 crore. SEBI appealed under Section 15Z of the SEBI Act, and the Supreme Court reversed the SAT, restoring the WTM's penalties and disgorgement with modifications.

The reasoning. The note to Regulation 4(1) of the PIT Regulations 2015 creates a statutory presumption that any trade executed while in possession of UPSI is motivated by that information, shifting the burden to the insider to prove a specific listed exemption.

> *In view of the note appended to Regulation 4(1) reproduced supra, the purposes for which the proceeds are employed is an irrelevant consideration.*
>
> FROM THE JUDGMENT

For your practice. Defending an insider-trading charge now requires fitting the conduct within one of the six enumerated exemptions in Regulation 4(1).

The order. Penalties of Rs 10 lakh each on all three promoters reinstated; additional penalties of Rs 5 lakh (Clause 6) and Rs 1 lakh each (Regulation 15HB) upheld.

§ **Section 15G, Securities and Exchange Board of India Act, 1992**

SECURITIES AND EXCHANGE BOARD OF INDIA vs RAJEEV VASANT SHETH

COURT	DECIDED	CASE NO.	CITATION
Supreme Court of India	11.08.2026	C.A. No.-004905 - 2022	2026:INSC:826

BENCH
Sanjay Karol, Augustine George Masih

Work & Employment Issues
Unfair Dismissal / Termination

SUPREME COURT

Termination for suppressed antecedents requires proof employee knew.

The dispute. The appellant, appointed as a process technician by FACT on 05.05.2021, declared in his attestation form that no criminal case was pending against him. FACT issued a show-cause notice and terminated him on 05.08.2023; the Kerala High Court upheld the order, which Yadav challenged before the Supreme Court.

The reasoning. The Court applied the two-pronged enquiry from Avtar Singh: first, whether the employee actually knew of the pending case when he signed the form; second, whether the nature of the offence justified termination given the post.

> *Termination is therefore not an automatic consequence of the disclosure of criminal antecedents*
>
> FROM THE JUDGMENT

For your practice. Before terminating on verification grounds, employers must record findings on the employee's actual knowledge and on whether the offence is relevant to the post.

The order. The termination order dated 05.08.2023 was set aside. Yadav was reinstated forthwith with all consequential benefits, 50% backwages payable within eight weeks.

§ **Industrial Disputes Act, 1947**

SHATRUGHN YADAV vs THE FERTILIZERS AND CHEMICALS TRAVANCORE LTD (F.A.C.T)

COURT	DECIDED	CASE NO.	CITATION
Supreme Court of India	11.08.2026	C.A. No.-010547-010547 - 2026	2026 INSC 829

BENCH
Sanjay Karol, Augustine George Masih

Criminal Issues

SUPREME COURT

Official service certificate constitutes unimpeachable alibi entitling accused to quashing.

The dispute. Rahul, a serving BSF officer, was charged with the dowry death of his wife in June 2016; a BSF service certificate showed he was on duty in Shillong throughout the relevant period. Rahul appealed to the Supreme Court against the High Court's order of 12 December 2025 declining to exercise inherent power under Section 482 CrPC.

The reasoning. Where documentary alibi is official, contemporaneous, and entirely undisputed by the prosecution, it satisfies the first two steps of the Rajiv Thapar four-part test, and continuation of the trial is an abuse of process.

For your practice. An official service record that the prosecution has never challenged can ground a Section 482 petition at the pre-trial stage.

The order. The appeal was allowed. FIR No 227 of 2016, chargesheet No 09A/16 dated 15 July 2017, and all proceedings in Criminal Case No 147 of 2018 are quashed insofar as they concern Rahul. The parents' acquittal of 17 October 2025 is unaffected.

§ Section 482, Code of Criminal Procedure, 1973

RAHUL vs STATE OF UTTAR PRADESH

COURT	DECIDED	CASE NO.	CITATION
Supreme Court of India	11.08.2026	Crl.A. No.-003774-003774 - 2026	2026 INSC 825

BENCH

Sanjay Karol, Augustine George Masih

Contracts & Business Disputes
Arbitration Agreements, Proceedings & Enforcement

SUPREME COURT

Interim protection may be ordered despite loss in arbitration

The dispute. National Projects Construction Corporation Ltd. paid a mobilisation advance of Rs.3.5 crore to Ishvakoo (India) Pvt. Ltd. under a 2002 MoU for heritage corridor work in Agra, secured by bank guarantees. The Delhi High Court Single Judge directed NPCC to deposit Rs.3.5 crore in the registry; the Division Bench upheld that order.

The reasoning. The Court held that Section 9 is not confined to pre-award or during-award stages and may be invoked post-award by a losing party, but the threshold is higher: the applicant must show a prima facie case, balance of convenience.

For your practice. Post-award Section 9 applications are available to a party that has lost, provided that party can point to a specific breach of undertaking or contractual obligation that creates.

The order. The appeal was dismissed. NPCC was directed to deposit Rs.3.5 crore with the Delhi High Court registry within four weeks, to be kept in a fixed-deposit with a nationalised bank on auto-renewal until the Section 34 application is finally.

§ **Section 9, Arbitration and Conciliation Act, 1996**

NATIONAL PROJECTS CONSTRUCTION CORPORATION LIMITED vs ISHVAKOO (INDIA) PVT LTD

COURT	DECIDED	CASE NO.	CITATION
Supreme Court of India	11.08.2026	C.A. No.-005819-005819 - 2025	2026 INSC 828

BENCH
K.V. Viswanathan, Arun Palli

High Courts

6 judgments in this edition

KEEP SWIPING >>>

Banking Law, Debt & Money Matters
Account & Locker Matters (Account freeze/lien, joint account, access disputes, theft, etc.)

KARNATAKA HC

Bank must refund unauthorised debit reported within three hours.

The dispute. State Bank of India's customer Pradosh Kumar Banerjee suffered two unauthorised debits totalling Rs.2,24,000 on 19 July 2022. Within three hours he emailed the bank; SBI reversed only Rs.25,000 and denied liability for the balance, claiming the OTP had been shared. The District Commission dismissed his complaint; the State and National Commissions reversed that finding and directed reimbursement.

The reasoning. The Court applied the RBI circular dated 6 July 2017, under which a customer who reports fraud within three working days attracts zero liability; reporting within three hours plainly satisfied that window.

For your practice. Electronic-fraud claims should be pleaded with precise timestamps showing when the customer notified the bank.

The order. The writ petition was dismissed. SBI was directed to credit Rs.1,99,000 to Banerjee's account and pay Rs.25,000 compensation, with interest at 8% per annum from the date of default until payment, all within four weeks.

§ Reserve Bank of India Circular on Zero Liability, 2017

STATE BANK OF INDIA vs MR. PRADOSH KUMAR BANERJEE

COURT	DECIDED	CASE NO.	BENCH
Karnataka High Court	11.08.2026	WP/18741/2026	D.K. Singh, T.M. Nadaf

Criminal Issues
Sexual Offences, POCSO & Domestic Crimes

PUNJAB AND HARYANA HC

Death sentence commuted where CCTV lacked Section 65B certificate.

The dispute. Pawan alias Moni was convicted by a Haryana trial court for the abduction, rape and murder of a seven-year-old girl on 8 October 2022 and sentenced to death; DNA evidence linked him to the crime but CCTV footage was admitted without a Section 65B(4) certificate. The Punjab and Haryana High Court heard the murder reference and the convicted person's appeal together.

The reasoning. The court held that CCTV footage is inadmissible as a document without a Section 65B(4) certificate, though oral identification corroborating it may still be considered.

For your practice. CCTV footage filed without a Section 65B certificate will be excluded as primary evidence; electronic-record compliance must be confirmed at the investigation stage, not at trial.

The order. Convictions upheld. Death sentence under Section 302 IPC commuted to rigorous life imprisonment with a fifty-year minimum and a fine of Rs 50,00,000.

§ **Section 65B, Indian Evidence Act, 1872**

STATE OF HARYANA vs PAWAN ALIAS MONI

COURT	DECIDED	CASE NO.
Punjab and Haryana High Court	11.08.2026	MRC/7/2023

BENCH
Anoop Chitkara, Ramesh Chander Dimri

Relationships & Family Matters
Jointly Owned Assets

DELHI HC

Clause to give property creates a duty to transfer title, not merely.

The dispute. Kanchan and Hemant Razak settled their mutual-consent divorce in 2013 on terms that he would give her the first floor of DDA Flat No.11-285; she waived all maintenance and alimony claims in exchange. The Family Court dismissed her execution petition in March 2025, reading the clause as a mere licence to reside.

The reasoning. The Court held that settlement terms must be read purposively in the context of the reciprocal obligations they record; a promise to give property that forms the sole consideration for waiving all financial claims creates an enduring proprietary right, not.

For your practice. Settlement clauses that trade property for waiver of maintenance will be construed as imposing a duty to convey title.

The order. The appeal was allowed and the Family Court order set aside. The respondent was directed to execute and register the transfer of the first floor within three months.

§ Section 13B, Hindu Marriage Act, 1955

KANCHAN vs HEMANT RAZAK

COURT	DECIDED	CASE NO.	CITATION
Delhi High Court	11.08.2026	MAT.APP.(F.C.)-219/2025	2026:DHC:6485-DB

BENCH
Vivek Chaudhary, Renu Bhatnagar

Government & Public Body Interactions
Tenders, Blacklisting & Debarment by Government Bodies

DELHI HC

Proportionality and Natural Justice Required for Contractor Blacklisting.

The dispute. SAI Consulting Engineers, engaged by NHAI for land-acquisition support work on Uttar Pradesh bypasses, was issued a two-year debarment in September 2025 over alleged valuation irregularities on a single structure in Bareilly. NHAI issued the debarment order after two show-cause notices and a personal hearing; SAI Consulting challenged it by writ petition before the Delhi High Court.

The reasoning. Debarment amounts to civil death and must be reserved for conduct that is deviant, not merely deficient.

For your practice. A debarment notice that omits proportionality reasons linking the penalty to the specific misconduct will not survive judicial review and exposes the authority to having.

The order. The writ petition was allowed and the debarment order dated 30 September 2025 set aside. SAI Consulting was restored to eligibility for NHAI bids. NHAI retains the right to pursue contractual damages but the two-year ban was annulled.

§ Section 3A, National Highways Act, 1956

SAI CONSULTING ENGINEERS PVT LTD. vs NATIONAL HIGHWAYS AUTHORITY OF INDIA & ors.

COURT	DECIDED	CASE NO.	CITATION	BENCH
Delhi High Court	11.08.2026	W.P.(C)-15518/2025	2026:DHC:6504	Sachin Datta

Property & Asset Disputes
Property Ownership, Title, Registration, Mutation, Division

PUNJAB AND HARYANA HC

Secondary evidence under s.65 requires clear proof of original's loss, not mere production.

The dispute. Sandeep Kumar sued defendants for concealing a mortgage on a Chandigarh flat he agreed to purchase for ₹14 lakh. Defendant No.1 applied under Section 65 to admit a photocopy of a property visit report as secondary evidence, claiming the original was destroyed after the mortgage was discharged. The Civil Judge, Chandigarh, allowed the secondary evidence in November 2019.

The reasoning. Section 65 requires the party seeking secondary evidence to establish, through testimony or documentary proof, that the original was lost, destroyed or unavailable.

> *Section 65 does not dispense with the requirement of establishing the circumstance, which permits departure from the normal rule of primary evidence.*
>
> FROM THE JUDGMENT

For your practice. Applications for secondary evidence must now be supported by sworn statements or specific proof of the original's fate.

The order. The revision was allowed. The order dated 26 November 2019 was set aside and the application under Section 65 dismissed. Defendant No.1 may file a fresh application only after establishing the requisite factual foundation.

§ Section 65, Indian Evidence Act, 1872

SANDEEP KUMAR vs SATPAUL MALRA & ors.

COURT	DECIDED	CASE NO.	CITATION
Punjab and Haryana High Court	11.08.2026	CR/8079/2019	2026:PHHC:109427

BENCH
Anu, Deepak Gupta

Government & Public Body Interactions

HIMACHAL PRADESH HC

Electricity duty revision power must be guided by clear intervals and percentage ceilings

The dispute. Stone-crusher units in Himachal Pradesh challenged two state notifications that raised their electricity duty from 11% to 25% in September 2023 and then to 37.5% in January 2024, a cumulative increase of over 240% within five months. Multiple writ petitions were consolidated before the HP High Court, which reserved judgment in May 2026 and pronounced it on 11 August 2026.

The reasoning. The Court applied the reading-down doctrine rather than striking the provision down, holding that Section 11(2)'s absence of any prescribed interval rendered it vague and prone to abuse under Article 14.

> *The power conferred by Section 11(2) is not a licence to increase rates at will; it must be exercised within a framework that prevents arbitrary escalation and ensures certainty for the affected class of consumers.*
>
> FROM THE JUDGMENT

For your practice. A rate-revision challenge now requires quantifying both the per-revision percentage and the interval since the last revision.

The order. The Court fixed duty for stone-crushers at 16.05% from 01.09.2023 and 24.75% from 18.01.2024, superseding the impugned notifications. Excess duty already collected must be adjusted against future dues or refunded within one year.

§ Section 11(2), Himachal Pradesh Electricity (Duty) Act, 2009

M/s Brajesh Stone Crusher v. State of Himachal Pradesh & ors.

COURT	DECIDED	CASE NO.	CITATION
Himachal Pradesh High Court	11.08.2026	CWP/5882/2025	2026:HHC:33749

BENCH

Vivek Singh Thakur, Ranjan Sharma

Tribunals

1 judgment in this edition

KEEP SWIPING →



SCDRC

Consumer & Service Problems
Banking, Loans & Financial Services

Guarantor need not be joined in consumer complaint when relief doesn't affect them

The reasoning. A party is necessary only when the relief claimed directly affects that party's legal rights or liabilities; mere transactional connection to the subject matter does not compel joinder.

> *A necessary party to a proceeding is to be ascertained on the basis of nature of the case and the reliefs claimed therein. Mere involvement in the subject transaction does not suffice to hold such a party as a necessary party.*
>
> FROM THE JUDGMENT

For your practice. Lawyers must now scrutinise whether a third party's rights are directly implicated before arguing for compulsory joinder. In consumer disputes, the burden of proof lies with the respondent to demonstrate necessity, and failure to produce affidavits can invalidate a dismissal. The decision also confirms that prior arbitration awards do not bar subsequent settlements, allowing more flexible dispute resolution.

The order. The Court remanded the consumer complaint to the District Commission for fresh adjudication, directing both parties to appear.

§ **Consumer Protection Act, 2019**

Tarun Kr. Mukherjee (Proprietor) vs Bally Co-Op. Bank Ltd. & ors.

COURT	DECIDED	CASE NO.
State Consumer Disputes Redressal Commission	11.08.2026	SC/19/A/277/2022

BENCH
Rajes Guha Ray, Santanu Saha

Also decided today

§ Order XLI Rule 1, Code of Civil Procedure, 1908 — SUPREME COURT

Single judgment suffices for suit and counterclaim

Where a suit and counterclaim are disposed of by a single judgment, a composite appeal is permissible under Order XLI Rule 1 CPC; the court fee must reflect both claims, but filing two separate appeals is unnecessary.

C.A. No.-010569-010569 - 2026 · 2026 INSC 831 · 11.08.2026

§ Section 376, Indian Penal Code, 1860 — SUPREME COURT

Conviction set aside due to insufficient forensic proof

A conviction under Section 376 IPC cannot stand where the medical examination found no injury, the FSL report disclosed no blood or semen on the victim's clothing, and witness testimonies contained material inconsistencies.

Crl.A. No.-001052-001052 - 2016 · 2026 INSC 830 · 11.08.2026

§ Section 17, Domestic Violence Act, 2005 — DELHI HC

Right of residence does not bar civil eviction

Section 17 of the Domestic Violence Act, 2005 is protective and procedural: it requires eviction to follow due process, not that it be barred entirely, and it does not oust the jurisdiction of a civil court.

RSA-15/2026 · 2026:DHC:6524 · 11.08.2026

Also decided, continued

§ Section 34, Arbitration and Conciliation Act, 1996 DELHI HC

Fresh claim on interest upheld.

A party that participates in arbitral proceedings without raising a jurisdictional objection under Section 16 of the Arbitration and Conciliation Act, 1996 waives that objection under Section 4 and cannot revive it in a Section 34 challenge absent a strong.

O.M.P. (COMM)-293/2022 · 2026:DHC:6511 · 11.08.2026

§ Section 141, Negotiable Instruments Act, 1881 DELHI HC

Summons Not Quashed When Director Not Signatory

Section 141 of the Negotiable Instruments Act extends liability to any person in charge of and responsible for the conduct of a company's business at the time of the offence; a director need not be a signatory to the dishonoured cheque for summons to issue.

CRLMM - 8053/2023 · 2026:DHC:6479 · 11.08.2026

§ Section 199, Code of Criminal Procedure, 1973 ALLAHABAD HC

Complaint under Section 500 IPC Not Maintainable When Filed by Private.

Section 199(2) CrPC prohibits a court from taking cognizance of a defamation offence alleged against a public servant for acts done in official capacity unless the complaint is made by the Public Prosecutor before a Sessions Court.

APPLICATION U/s 482 No. - 10838 of 2023 · 11.08.2026

Also decided, continued

§ Section 34, Indian Penal Code, 1860 — ALLAHABAD HC

Prosecution must prove accused's act functionally linked to the offence

Section 34 IPC requires that the prosecution show the accused's act was in aid of or in furtherance of the specific offence charged; presence at the scene and being armed with a different weapon cannot substitute for that proof.

CRIMINAL APPEAL No. - 211 of 1992 · 11.08.2026

§ Section 28A(3), Land Acquisition Act, 1894 — BOMBAY HC

Market value fixed at Rs.1,725 per sqm for Bokadvira.

Annual escalation from a much older award is unsafe where the interval exceeds five years, and post-notification lease transactions are not comparable to free-hold agricultural land for the purpose of determining market value under the Land Acquisition Act.

XOBST/19862/2026 · 11.08.2026

§ Section 14, Limitation Act, 1963 — CESTAT

Period in wrong customs forum excluded.

An appeal filed within the statutory period but addressed to the wrong customs office does not attract a limitation bar, because Section 14 of the Limitation Act requires exclusion of the time spent before the incorrect forum.

Customs Appeal No. 60002 of 2026 · 11.08.2026

Also decided, continued

§ Section 38(3)(a), Consumer Protection Act, 2019 SCDRC

Written version filed 51 days after notice barred.

Section 38(3)(a) of the Consumer Protection Act, 2019 permits a written version within 30 days of notice, with a discretionary extension of no more than 15 days; a filing that exceeds both periods gives the District Commission no room to condone the delay.

SC/19/RP/40/2025 · 11.08.2026

§ Section 37B, Central Excise Act, 1944 CESTAT

Automotive ECUs classified under Heading 9032

Note 2(g) to Section XVII of the Customs Tariff excludes automatic regulating or controlling apparatus of Chapter 90 from heading 8708.

Customs Appeal No. 41109 of 2025 · 11.08.2026

The Supreme Court's insider trading ruling holds that possession of unpublished price-sensitive information combined with a trade in those securities is sufficient for liability, making profit motive and end-use of proceeds legally irrelevant. If intent to profit no longer matters, how should compliance teams redesign pre-clearance windows and trading blackouts to account for inadvertent exposure?

22 judgments **6** Supreme Court **12** High Courts **4** Tribunals

Every judgment here, analysed in full.

The facts, the reasoning and the precedents each court engaged with.

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