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Criminal Law Judgments



A Monthly Wrap | **October 2026**

Title and Case details	Case Brief
Supreme Court: Failure to explain seizure cannot implicate accused Ramkrushna Prahllad Dongardive Vs. The State Of Maharashtra MANU/SC/1143/2026; 2026 INSC 1099	The Supreme Court has observed that the accused's failure to explain a seizure made at his premises cannot, by itself, be treated as incriminating evidence. The **burden of proving the legality and validity of the seizure rests with the prosecution**.
Supreme Court: Robbery must be proved for conviction under S. 394 IPC, 1860 Appa Vs. The State of Maharashtra MANU/SC/1133/2026; 2026 INSC 1091	The Supreme Court has observed that a conviction under Section 394 of the IPC or Section 309(6) of the BNS cannot be sustained unless the prosecution proves that robbery or an attempt to commit robbery took place.
Supreme Court: Prolonged custody cannot continue when trial is unlikely to conclude soon Sanjay Sureka @ Sanjay Kumar Sureka Vs. Directorate of Enforcement MANU/SC/1167/2026; 2026 INSC 1124	The Supreme Court has observed that "the **culmination of the trial is a time consuming process**, since the trial court will have to go through documents running into thousands of pages and examine around 98 witnesses. The **Appellant must not be subjected to the rigours of custody as long as the trial is pending**. Hence, Appellant must be released on bail, subject to furnishing of bail bonds to the satisfaction of the trial court and subject to such other terms and conditions as may be imposed by it."

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Delhi High Court: Magistrate can summon suspect despite police closure opinion, must record reasons Zubair Ahmed Vs. State Govt. Of NCT of Delhi and Anr MANU/DE/7862/2026; 2026:DHC:896	The Delhi High Court has observed that a Magistrate can summon a suspect despite the investigating agency finding **insufficient evidence** against them, provided the order identifies the supporting material and records reasons for disagreeing with the police conclusion.
Bombay High Court: State must pay Rs. 5 Lakh for illegal arrest and detention Bipin Satish Chandra Agrwal Vs. State of Maharashtra and Anr. MANU/MH/7137/2026; 2026:BHC-AS:43036-DB	The Bombay High Court has directed the Maharashtra Government to pay Rs. 5 lakhs in compensation to a man who was illegally arrested by Mumbai Police and detained for nearly 26 days. The Court also directed the State to initiate **action against the police officers who falsely portrayed the petitioner as an extortionist and arrested him, as well as against the Magistrate** who remanded him to police and judicial custody.
Bombay High Court: College staff not automatically liable for students' deaths during picnic P.A. Inamdar & Ors. Vs. State of Maharashtra & Anr. MANU/MH/7136/2026; 2026:BHC-AS:42978-DB	The Bombay High Court has quashed criminal proceedings against college trustees, teachers and staff over the deaths of 14 students who drowned during a 2016 picnic at Murud beach. The Court observed that **criminal negligence must be directly linked to the deaths and cannot be presumed from their association with the college**. It considered the students' independent actions, lack of evidence of direct negligence, and limits of vicarious criminal liability
Delhi High Court: Woman can be charged with gang rape under section 70 BNS, 2023 ANSXXX and Anr. Vs. State of NCT of Delhi and Anr, MANU/DE/7978/2026; 2026:DHC:9197	The Delhi High Court has observed that a woman can be prosecuted for gang rape under **Section 376D of the Indian Penal Code, 1860 and Section 70 of the Bharatiya Nyaya Sanhita, 2023** even if she has not personally committed the act of rape. The Court further observed that the **term "persons" used in these provisions cannot be restricted to men**, making the offence applicable irrespective of the accused's gender

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Delhi High Court: No material showing Delhi police compromised the 2020 riots probe Shaikh Mujtaba Farooq & Ors. Vs. Union of India & Ors., MANU/DE/7580/2026; 2026:DHC:8710-DB	The Delhi High Court has found no material showing that Delhi Police compromised the investigation into the 2020 riots and declined to hold that the entire **police machinery was institutionally incapable of conducting a fair and impartial probe**
Manipur High Court: Section 482 of the Cr.P.C. is maintainable for quashing proceedings initiated under Section 12 of the DV Act, 2005 in cases of gross illegality Ningthoujam Geoffrey vs. Laishram Monica Chanu and Ors. MANU/MN/0097/2026; Cril. Petn. No. 21 of 2020 and MC(Cril. Petn.) No. 5 of 2023	The High Court of Manipur addressed whether a petition under **Section 482 of the Cr.P.C**. is maintainable for quashing proceedings initiated under **Section 12 of the DV Act, 2005**. The court referred to the Supreme Court's decision in "**Shaurabh Kumar Tripathi vs. Vidhi Rawal**," which allows such petitions only in cases of gross illegality or injustice. The court concluded that the petition is maintainable but has yet to determine if **gross illegality or injustice exists**, disposing of the application accordingly and setting a date for further proceedings.
Karnataka High Court: Confessional statements of co-accused are not substantive evidence Nagaraja Y. vs. State of Karnataka MANU/KA/4611/2026; NC: 2026:KHC:56098	The High Court of Karnataka addressed the challenge by Nagaraja Y. against the charge sheet related to alleged offences under the **Bharatiya Nyaya Sanhita, 2023**. The core issue was the absence of specific allegations against Nagaraja Y., accused no.4, in the complaint and charge sheet, compounded by the complainant's death and reliance on co-accused statements. The court found no substantive evidence or material implicating Nagaraja Y. in the alleged crimes, referencing precedents that confessional statements of co-accused are not substantive evidence. Consequently, the court quashed the proceedings against Nagaraja Y., deeming them an abuse of process.

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J&K High Court: If defense case can be proven with documents numerous witnesses are not required Bansi Lal Bhardwaj vs. S. Gagandeep Singh MANU/JK/0935/2026; CRM(M) No. 1058/2025	The High Court of J&K addressed a petition seeking to quash orders from lower courts that limited his ability to summon defense witnesses in a case **under Section 138 of the Negotiable Instruments Act**. The court found the petition to be a second revision, which is not maintainable under **Section 438(3) Bharatiya Nagrik Suraksha Sanhita (BNSS), 2023**, and noted the petition was filed with undue delay. The court also reasoned that the defense could be proven with documents rather than numerous witnesses. Consequently, the petition was dismissed.
Uttarakhand High Court: Section 6(3) of the Act does not confer to Commissioner for remanding matter for fresh adjudication Hem Shikha vs. State of Uttarakhand and Ors. MANU/UC/0572/2026; 2026:UHC:9563	The High Court of Uttarakhand addressed the legality of an appellate order by the Commissioner, Garhwal Region, which **remanded an externment order** against Puneet Agarwal, declared a 'Goonda' under the **Uttar Pradesh Control of Goondas Act, 1970**, by the District Magistrate, Dehradun. Hem Shikha, the petitioner, challenged this remand, arguing it exceeded the Commissioner's statutory powers. The **court found that the Commissioner lacked authority** to remand the matter for fresh adjudication, as Section 6(3) of the Act does not confer such power. Consequently, the court set aside the appellate order, allowing Criminal Writ Petition No. 1602 of 2026 and dismissing Criminal Writ Petition No. 1912 of 2026.
Uttarakhand High Court upholds conviction of accused reduced his sentence from death to life imprisonment In the matter of Capital Punishment Awarded to Haider vs. State of Uttarakhand MANU/UC/0532/2026; Criminal Reference No. 1 of 2025	The High Court of Uttarakhand addressed the conviction of accused for the murder of victim. Accused 1 was initially sentenced to death, while Accused 2 received life imprisonment. The court found insufficient evidence against accused 2, leading to his acquittal. For accuse 1, the court upheld his conviction under **Section 302 IPC** but reduced his sentence from death to life imprisonment, citing the case did not meet the "rarest of rare" criteria for capital punishment. The judgment was modified accordingly, and accused 2 was ordered to be released.

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Gujarat High Court upholds acquittal of two in electric fence death of 11-Year-Old State Of Gujarat Vs. Sayabhai Sartanbhai Bariya & Anr MANU/GJ/2603/2026	The Gujarat High Court has upheld the acquittal of two persons accused of culpable homicide after an 11-year-old boy was electrocuted by an electric fence around an agricultural field. The Court found that the **prosecution failed to establish that the accused owned the plot.**
Allahabad High Court: Rape victims cannot be denied compensation for lack of medical report X Vs. State of UP MANU/UP/3197/2026; 2026:AHC:22039-DB	The Allahabad High Court has observed that rape victims cannot be denied financial aid for not producing an injury report showing penetrative sexual assault. It ruled such a **report is not mandatory under the 2015 UP victim compensation rules** and quashed the condition requiring it.
Allahabad High Court: Dissatisfaction with police probe alone not wilful neglect under SC/ST Act, 1989 Guddo Vs. State of U.P. & Ors MANU/UP/2998/2026	The Allahabad High Court has observed that a complainant's dissatisfaction with a police investigation or the failure to invoke specific provisions of the **SC/ST (Prevention of Atrocities) Act, 1989, does** not by itself amount to wilful neglect of duty by public servants under **Section 4 of the Act**
Calcutta High Court commutes death sentence in wife and infant daughter murder case State of West Bengal Vs. Lal Singh Oraon MANU/WB/2548/2026	The Calcutta High Court has commuted the death sentence of a man convicted of murdering his wife and 18-month-old daughter to life imprisonment, holding that the case did not fall within the **"rarest of rare" category** warranting capital punishment
J&K&L High Court: quashes bail in 24-Kg ganja case despite no misuse of liberty Union Territory of J&K Vs. Shabir Ahmad Dar, MANU/JK/0879/2026	The J&K and Ladakh High Court has ruled that bail may be annulled if the order granting it is **legally unsustainable, perverse or violates a statutory requirement**, even without misuse of liberty, as this differs from cancellation for later misconduct.

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Patna High Court: Template arrest memo cannot satisfy Article 22 grounds disclosure rule Sarfaraz @ Muzaffar Ahmad Wani Vs. The Union of India MANU/BH/1403/2026	The Patna High Court has observed that "The constitutional mandate and the statutory mandate as contained under **Article 22 of the Constitution of India and Section 50 of the CrPC** leave no room for doubt that it would be necessary for the investigating agency/arresting authority, that a copy of the written grounds of arrest is furnished to the arrested person as a matter of course and without exception."
P&H High Court: Demolition after lawyer flagged corruption appears aimed at silencing him Nikhil Saraf Vs. State of Punjab and Others MANU/PH/6709/2026; 2026:PHHC:183914-DB	The Punjab and Haryana High Court has observed that demolition action against an advocate's farm stay, initiated soon after he alleged corruption by senior State officials, appeared unnatural and raised **doubts about the intent of high-ranking officers.**