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Hon'ble Supreme Court of India held that the certificate under Sec.65B (4) of the Evidence act is a condition precedent to the admissibility of electronic evidence. The application can be made to the Trial Court to direct a person to produce the certificate under Sec.65B (4) of Evidence Act on the refusal of such person to produce the same. It is further stated that the required certificate under Sec.65B (4) is unnecessary if the original document itself is produced. **Arjun Panditrao Khotkar V. Kailash Kushanrao Gorantyal And Ors., 2020 3 SCC 216.**

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Hon'ble Supreme Court of India has refused to extend the period of validity of a Cheque, while holding that a decision on the same may be taken by the Reserve Bank of India, in its discretion and not to interfere with period prescribed by RBI. Therefore, the apex court held that RBI should be given the discretion to extend or not to extend the same since, the entire Banking System relies on the same. **In Re Cognizance for Extension of Limitation, 2020 SCC ONLINE SC 434.**

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Hon'ble Supreme Court of India held that COVID-19 is not a ground, that lockdown has prevented anyone from filing a charge sheet. Nothing is more important than the rights of the accused. It is only when despite efforts investigating authority approached the Court for extension. **Sharjeel Imam V. Gov. Of NCT of Delhi, 2020 SCC Online SC 526.**

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Hon'ble Supreme Court of India held that there cannot be liberal approach in the matter of NDPS cases. The court has to record a finding mandated under sec.37 of the Narcotic Drugs and Psychotropic Substances Act, 1985 and the same is a sine quo non for granting bail to accused under the NDPS Act. **Om Parkash V. State of Himachal Pradesh, Cr. MP (M) No. 1084 of 2020.**

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Kerala High Court says that benefit of Sec.427 Code of Criminal Procedure can be claimed only before the court dealing with the subsequent offences. The appellate court dealing with subsequent conviction can also exercise jurisdiction. In appropriate cases, such a benefit can be given by the High Court also on exercising its inherent jurisdiction under Sec. 482 of the Code. **Mushthafa V. The Sub Inspector of Police, CRL. A. No. 992 of 2013.**

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Punjab and Haryana High Court held it is the duty of the State as per the Constitutional obligation cased upon it to protect the life and liberty of every citizen. Right to human life is to be treated on much higher pedestal, regardless of a citizen being minor or a minor. The mere fact that the petitioner is not of marriageable age. **Indra And Another V. State of Punjab and Others, 2020 SCC OnLine P&H 886.**

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Madhya Pradesh High Court held that the provisions of the Muslim Women (Protection of Rights on Marriage) Act, 2019 are applicable only against the husband and not against in-laws. It is directed that the event of arrest of applicants, they shall be released on bail upon furnishing personal bond. The Order shall be governed under Sec. 438 of Criminal Procedure Code, 1973. **Rafique Ahmed and Others V. State of Madhya Pradesh, MISC. CRIMINAL CASE NO. 17691 of 2020.**

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Delhi High Court refused to grant bail to Aam Aadmi Party leader Tahir Hussain in the murder case of intelligence Bureau Officer Ankit Sharma who was killed during the Delhi riots. The court stated that even if there is no video footage or CCTV footage, showing the presence of the applicant at the spot, there is enough ocular evidence available on record. **State V. Tahir Hussain., FIR No. 65/2020.**

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Chennai National Company Law Tribunal Division Bench says that the Centre's Ordinance, passed on June 5, will have retrospective applicability in terms of defaulters arising on or after March 25, 2020. Therefore, NCLT laid emphasis on the Sec.10A to enunciate that pending insolvency applications regarding defaults which had allegedly occurred on or after March 25 are removed the ambit of Sec.7, 9 and 10. **M/s. Siemens Gamesa Renewable Power Pvt. Ltd. V. Ramesh Kymal., IA/395/2020 in IBA/215/2020.**

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Hon'ble Supreme Court of India refused to entertain a plea seeking to stop the Amarnath Yatra this year citing the risk of COVID-19, expressing the principle of separation of powers. The court stated that, local administration was better equipped to take a decision on the matter. Accordingly, the matter to be decided by the local administration in accordance with statutory guidelines. **Shri Amarnath Barfani Langars Organisation v. Union of India & Ors., Writ Petition(s) (Civil) No(s). 623/2020.**

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DISCLAIMER

This write up has been sent to you for information purposes only and is intended merely to highlight recent case laws. The information and/or observations contained in this issue do not constitute legal advice and should not be acted upon in any specific situation without appropriate legal advice. The views expressed in this issue do not necessarily constitute the final opinion of M/s.Wallcliffs Law Firm and should you have any queries in relation to any of the issues set out herein or on other areas of law, please feel free to contact us on mail@wallcliffs.com.

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