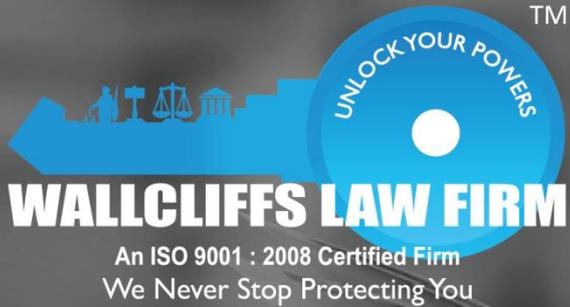


OCTOBER 2020. ISSUE 02
09-OCT-2020



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Hon'ble Supreme Court held that the conditions which a court imposes for the grant of bail have to balance the public interest in the enforcement of criminal justice with the right of the accused and also says that if the discretion of the court has to be guided by the need to facilitate the administration of justice, secure the presence of the accused and ensure that the liberty of the accused is not misused to impede the investigation, overawe the witnesses or obstruct the course of justice.

Parvez Noordin Lokhandwalla V. State of Maharashtra, Criminal Appeal No. 648 of 2020.

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Hon'ble Supreme Court held that a Special Leave Petition challenging the order of the High Court rejecting the review petition cannot be entertained when main judgement in the writ petition is not challenged.

T.K.David V. Kurupaampady Service Co-Operation Bank Ltd., 2020 SCC Online SC 800.

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Hon'ble Supreme Court reiterated that the most significant consideration while issuing a writ of Habeaus Corpus in relation to minor child custody matter is for welfare of the children.

Nilanjan Bhattacharya V. State of Karnataka, Civil Appeal No. 3284 of 2020.

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Bombay High Court interpreted the scope of Section 27A of the Narcotic Drugs and Psychotropic Substance (NPDS) Act, 1985 which deals with the offences of financing illicit traffic and harboring offenders. The Court held that giving money to another person for consuming drugs cannot be interpreted to mean financing and harboring an offender under Sec.27A.

Rhea Chakraborty V. Union of India, 2020 SCC Online Bom 925.

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Punjab and Haryana High Court permitted an Australian NRI to join a criminal investigation pending against in India through video conferencing, until resumption of international flights.

Sher Pratap Singh V. State of Punjab and Another, CRM-M-31167-2020.

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Allahabad High Court recently expresses displeasure with the Authorities/officers for not complying with the orders of the court at the first instance. The court says that due to this approach of the officers, the aggrieved party is forced to file contempt application and even after granting further time to comply with the order of the writ court passed in contempt application, the orders are not being complied with.

Smt Usha Singh V. Sri Shatrughan Singh, Contempt Application (Civil) No. 2788 of 2020.

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Kerala High Court held that the plaintiff has no absolute right to withdraw from the suit at the appellate state. The court says that the Appellate Court, before granting such liberty to withdraw a suit has to consider whether any right had accrued in favor of the defendant by the dismissal of the suits by the trail court and by granting permission to withdraw from the suits, whether the defendant would be deprived of any such right.

Sabu Issac V. Antony Chacko, 2020 SCC Online Ker 4230.

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Karnataka High Court refused to quash a FIR registered against a National Committee Member of the Popular Front of India (PFI) while holding that even though the offending speech does not directly refer to two religions. It attracts the provisions of Section.153 of the IPC, which is in the form of innuendo.

Mohammed Sheriff V. State of Karnataka and Another, Criminal Petition No. 3786/2020.

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Madras High Court says that interim bail in Habeas Corpus petitioners challenging preventive detention can be granted only on exceptional circumstances, when it is made out that the intervention of the court is indispensable.

The Government of Tamilnadu V. S. Indramoorthy, Crl.M.P. No 534 of 2020.

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Allahabad High Court refused to quash an FIR registered against Skoda Auto Volkswagen in connection to the alleged installation of cheat devices in its vehicle to show lower emissioner an declined the company's plea which holding that whether or not the company's vehicles satisfy BS-IV is a matter of investigation.

Skoda Auto Volkeswagen India Pvt. Ltd V. State of U.P and Others, Criminal Misc. Writ Petition No.9223 of 2020.

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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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