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# LATEST NEWS

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**Hon'ble Supreme Court** has reiterated that while the court hearing the first appeal in criminal matters required forming its opinion on the basis of the evidence on record and the opinion of the Trial Court. **Chandrabhan Singh V. State of Rajasthan, Special Leave Appeal (Crl.) No.(S). 4525/2020.**

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**Hon'ble Supreme Court** reiterated that whatever stay has been granted by any court including the High Court on Civil or Criminal proceedings will automatically expire within a period of six months, unless an extension is granted for good reason within the next six months. **Asian Resurfacing of Road Agency Pvt. Ltd V. Central Bureau of Investigation, MA.No.1577 of 2020.**

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**Hon'ble Supreme Court** says that the breach of the audi alteram partem rule cannot by itself, without more, lead to the conclusion that prejudice is thereby caused. The court said that the "prejudice" exception must be more than a mere apprehension or even a reasonable suspicion of a litigant. **State of Uttar Pradesh V. Sudhir Kumar Singh, 2020 SCC OnLine SC 847.**

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**Hon'ble Supreme Court** has directed the Director General of Police, Bihar and Registrar General of the Patna High court to explain why it took 21 days to arrest a man accused in a dowry death case. **Bachcha Pandey V. State of Bihar, Special Leave to Appeal (Crl.) No. 4769/2020.**

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**Hon'ble Supreme Court** had reiterated that there can be a conviction based on the sole testimony of the sexual assault victim if she is found to be reliable and trustworthy. **Ganesan V. State. 2020 SCC Online SC 839.**

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**Delhi High Court** has refused to set aside the order dated 28.08.2020 passed by the courts Registrar General whereby submission of court fee and duly attested affidavit has been mandatory while filling petitions. **Janak Datwani V. Delhi High Court, W.P.(C) 7379/2019.**

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**Patna High Court** says if by judicial order, a girl has been sent to Remand Home treating her to be minor, then her stay in the Remand home cannot be said to be unlawful confinement/detention and as such Habeaus Corpus petition is not maintainable against such orders. **Anuradha Kumari V. State of Bihar, Criminal Writ Jurisdiction Case No. 373 of 2020.**

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**Punjab & Haryana High Court** held that the statement recorded before a Judicial Officer in a court of law cannot be said to have lesser sanctity then an instrument of compromise drawn outside the court attested by some Oath Commissioner/Notary Public or any other authority. The Court says that under Order 23 Rule 3 statement recorded before court hold equal sanctity as a written Instrument of compromise. **Lachhman Das V. Amarjit Singh Sahni & Anr., CR-6310-2019 (O&M).**

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**Madras High Court** held that the cesses that have not been subsumed by Goods and Services Tax laws cannot be carried forward to claim set off against output tax credit. **Assistant Commissioner of CGST and Central Excise & Others V. Sutherland Global Services Private Ltd., Writ Appeal No. 53 of 2020.**

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**Kerala High Court** upheld a single bench judgment setting aside the appointment of a District Judge on the ground that, at the time of issuing the order of appointment he was not a practising Advocate and was in judicial functioning as a Munsiff. **Rejanish K.V V. Deepa, W.A. No. 1015 of 2020.**

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#### **DISCLAIMER**

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