

Criminal Law Judgments

A Monthly Wrap | **September 2026** 



Title and Case details	Case Brief
Supreme Court sets aside 21-Year-Old conviction after finding accused was juvenile Mahavir @ Avnish Vs. The State Of Madhya Pradesh MANU/SC/0975/2026; 2026 INSC 942	The Supreme Court has raised concern over the growing number of cases where claims of juvenility are being raised for the first time before it, observing that the trend reflects a serious gap in the understanding and implementation of the Juvenile Justice Act, 2015 by the police and courts. The Court has set aside the 21-year-old conviction of a man after it was established that he was a juvenile at the time of the offence. The Court held that once his juvenility had been determined by the Juvenile Justice Board, the High Court was required to deal with his case in accordance with the legal framework applicable to children in conflict with law.
Supreme Court: Gujarat Prohibition Act Does Not Bar Interim Release of Seized Vehicle M/S ABC Express Vs. State of Gujarat MANU/SC/0984/2026; 2026 INSC 940	The Supreme Court has observed that Section 98(2) of the Gujarat Prohibition Act, 1949 does not impose an absolute bar on releasing a seized vehicle to its owner pending trial, even when the recovered liquor exceeds the prescribed limit. The Court set aside orders denying interim custody of the truck and directed its release upon furnishing security.

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Supreme Court: Guilt cannot be presumed from collusion allegations against investigating officer Dhrub Singh Etc. Vs. The State of Bihar MANU/SC/0969/2026; 2026 INSC 935	The Supreme Court has noted inconsistencies in witness accounts, absence of cartridge recovery, and no chemical analysis of blood-stained earth, undermining the prosecution's case. The alleged motive was deemed unconvincing, and the investigation was criticized as inadequate. It further stated that, “A faulty investigation cannot inure to the benefit of the accused, but when there is no reliable evidence, merely because the I.O was recalcitrant or a complaint of collusion was raised against him, the Court cannot presume the guilt of the accused.”
Supreme Court: Multiple cases alone cannot justify an externment order Vijay Kumar Rajpoot Alias Vijju Vs. State of Chhattisgarh & Ors. MANU/SC/0964/2026; 2026 INSC 926	The Supreme Court has observed that multiple cases alone cannot justify an externment order, calling it an extraordinary measure. It quashed the order against a man for failure to comply with the mandatory notice and hearing requirements under Section 8 of the Chhattisgarh Rajya Suraksha Adhiniyam, 1990.
Supreme Court: Informant's consent is not required to quash a case settled with the victim Anand Kumar @ Sanjay Lalwani Vs. The State of Madhya Pradesh and Ors. MANU/SC/0967/2026; 2026 INSC 928	The Supreme Court has observed that criminal proceedings involving non-compoundable offences may be quashed after settlement with the actual victim, and the consent of an informant who is not the victim is not required.
Supreme Court: 25-year extradition assurance does not convert life sentence into fixed term sentence Abu Salem Abdul Qayoom Ansari Vs. State of Maharashtra & Ors. MANU/SC/1020/2026; 2026 INSC 982	The Supreme Court has observed that the 25-year imprisonment assurance given by India to Portugal at the time of Abu Salem's extradition does not convert his life imprisonment sentence into a fixed-term sentence. The Court noted that jail-earned remission cannot be added to the 25-year period to advance his release, as the assurance only requires the Government to consider remission or commutation upon completion of 25 years and does not alter the life sentence.

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Supreme Court: Failure to prove victim's age under POCSO does not bar conviction for rape Pynchemalangaki Bareh Vs. State of Meghalaya, MANU/SC/1017/2026; 2026 INSC 984	The Supreme Court has observed that where the prosecution fails to prove the victim's minority as required under Section 94 of the Juvenile Justice Act, 2015, conviction under the POCSO Act, 2012 cannot be sustained, but the accused can still be convicted under Section 376 of the IPC where rape is otherwise proved and the accused had a fair opportunity to defend himself. The Court accordingly modified the conviction from Section 4 of the POCSO Act to Section 376 of the IPC and sentenced the appellant to 10 years' rigorous imprisonment.
Supreme Court: Conviction under Section 13(1)(d) PC Act cannot stand without finding of pecuniary advantage Khanindra Kr. Dutta Vs. Central Bureau of Investigation MANU/SC/1001/2026; 2026 INSC 970	The appellant, a store in-charge, was convicted under Section 13(1)(d) and 13(2) of the Prevention of Corruption Act, 1988 read with Section 120B Indian Penal Code, 1860 for certifying receipt of medicines that were never supplied, while the High Court had itself found no evidence of any pecuniary advantage obtained by him. The Supreme Court observed that since Section 13(1)(d) requires such advantage, and this element was found absent, the conviction could not be sustained.
Supreme Court: Acquits murder convicts citing discrepancies in eyewitness testimony and gives benefit of doubt Ashok Upadhyay and Anr. Vs. The State of Bihar MANU/SC/1005/2026; 2026 INSC 971	The Supreme Court has acquitted two men convicted of murder over a drainage dispute that led to a shootout, setting aside their conviction under Section 302 read with Section 34 IPC and Section 27 of the Arms Act, 1959, which had been affirmed by the High Court. The Court found the prosecution case, resting mainly on eyewitnesses who were close relatives of the deceased, riddled with contradictions and suspicious circumstances.

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Supreme Court reiterates TIP identification is not substantive evidence Dhanraj Vs. State of Rajasthan MANU/SC/0996/2026; 2026 INSC 958	The Supreme Court has reiterated that identification of an accused during a Test Identification Parade (TIP) is not substantive evidence of identity. The court observed that “TIP is intended to test the memory and capacity of a witness to identify a person whom the witness claims to have seen during the occurrence and to lend corroboration to the identification subsequently made before the Court. The test identification proceedings undertaken during investigation cannot be treated as substantive proof of identity. Substantive proof would be the identification of the accused by the witnesses while testifying on oath or dock identification in common parlance.”
Supreme Court Acquits Man in POCSO Case, Says Presumption of Guilt Is Not Absolute Deepak In JC Vs. State Govt. Of NCT Delhi, MANU/SC/1038/2026; 2026 INSC 1008	The Supreme Court has acquitted a man convicted under Section 6 of the Protection of Children from Sexual Offences Act, 2012 and Section 363 of the Indian Penal Code, 1860, holding that the statutory presumptions under Sections 29 and 30 of the POCSO Act, 2012 are not absolute. The Court observed that where the accused establishes material inconsistencies, contradictions and lack of corroboration in the prosecution case, the presumption of guilt would no longer remain effective.
Supreme Court: Bribe given to intermediary alone insufficient to establish public servant's guilt under PC Act Bharat Raj Meena Vs. Central Bureau of Investigation MANU/SC/1029/2026; 2026 INSC 999	The Supreme Court of India addressed the appeals of Bharat Raj Meena against the Central Bureau of Investigation concerning allegations of corruption during his tenure as Divisional Security Commissioner, Railway Protection Force, Palakkad. The core issue was whether Meena demanded and accepted illegal gratification through intermediaries for favorable transfers and postings. The Court scrutinized the evidence, particularly the testimonies of intermediaries who were granted pardon, and found inconsistencies and lack of corroboration in the prosecution's case. The Court emphasized the necessity of proving demand and acceptance of bribes beyond reasonable doubt and noted procedural lapses in the investigation. Consequently, the Court acquitted Meena of all charges, allowing both appeals and ordering the refund of any fines paid.

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Delhi High Court: Police cannot pick and choose among accused persons for arrest Rajkumar Vs. State (NCT Of Delhi) MANU/DE/6355/2026; 2026:DHC:7282	The High Court of Delhi addressed the bail application of accused of child trafficking, involving the sale of an infant girl. Despite accused's claim of false implication due to his relation to co-accused who was granted bail, the court noted his visible involvement in photographs and the gravity of the offense. The court criticized the police's selective arrest policy, particularly the inaction against co-accused and ordered the DCP to ensure the child's rescue and file a status report. The bail application was dismissed, and the order was sent to the Jail Superintendent.
Delhi High Court: Absence of "Penetration" word in child victim's testimony no ground for rape acquittal State Vs. Munna Kumar MANU/DE/6476/2026; 2026:DHC:7344-DB	The Delhi High Court has observed that the absence of the specific word "penetration" in the testimony of a child victim cannot be a ground to acquit an accused of rape. The Court made the observation while convicting a man for raping a four-and-a-half-year-old child, stressing that the victim's testimony must be assessed in its entirety rather than based on isolated terminology.
Bombay High Court: Quashing of Criminal Proceedings can be done post conviction although appeal is pending Nitin and Ors. Vs. The State of Maharashtra MANU/MH/5878/2026:2026:BHC-NAG:12293	The High Court of Bombay addressed the issue of whether to quash the conviction accused who were convicted under various sections of the Indian Penal Code, 1860 and the Maharashtra Medicare Service Institutions Act, 2010 following a settlement with the complainant. The court considered the voluntary nature of the compromise and the non-heinous nature of the offenses, referencing the Supreme Court's decision in Ramawatar v. State of Madhya Pradesh, (MANU/SC/0967/2021) which allows for quashing proceedings post-conviction if an appeal is pending. The court quashed the convictions, subject to the applicants paying Rs. 10,000 each to the High Court Legal-Aid Sub-Committee and disposed of the revision applications.

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Bombay High Court: When there is significant doubt, a serious offence has been committed, acquittal can be granted Satish Vs. State of Maharashtra and Ors. MANU/MH/5869/2026; 2026:BHC-NAG:12149	The High Court of Bombay addressed the appeal of accused against the State of Maharashtra, challenging his conviction under Sections 6 and 8 of the POCSO Act, 2012 and Section 377 of the IPC. The core issue was whether accused committed aggravated penetrative sexual assault on two minors. The court found significant contradictions and omissions in the testimonies of the prosecution witnesses, lack of medical evidence supporting the allegations, and potential motives for false implication due to business rivalry. Consequently, the court set aside the trial court's judgment, acquitted accused, and ordered his immediate release, citing the principle of "in dubio pro reo" (when in doubt, for the accused).
Manipur High Court: If writ petitioner/s are aggrieved by the speaking order/s, challenge can be sought by them to such order/s in accordance with law Thang Ja Thang Haokip Vs. State of Manipur and Ors. MANU/MN/0031/2026; W.P. (Crl.) No. 11 of 2026	The High Court of Manipur addressed the issue of disposing of 31 writ petitions filed by Thang Kho Jam Mate and others against the State of Manipur and others, concerning the handling of representations related to the Foreigners Act, 1946. The court, noting the non-consensus among parties and the descoping of prayers by the petitioners, followed the precedent set in the case of Shri Lalnunmawia Gangte & others vs. State of Manipur & others. (W.P. (Crl.) No. 4 of 2026). The court ordered that the decisions be communicated to the petitioners' counsel and allowed for further legal recourse if the petitioners who were dissatisfied with the decision, they could challenge it legally.
Manipur High Court: Imposing a three-week time limit for a detenu to make representations violates Article 22(5) of the Indian Constitution Yambem Manichandra Singh Vs. The State of Manipur and Ors. MANU/MN/0040/2026; W.P. (CRL.) No. 10 of 2026	The High Court of Manipur addressed the legality of a preventive detention order against detenu, who was detained under the National Security Act, 1980 (NSA). The core issue was whether the detaining authority's imposition of a three-week time limit for the detenu to make representations violated Article 22(5) of the Indian Constitution. The court found that such a time limit infringed upon the detenu's constitutional rights, as established in precedents like Prem Lata Sharma and Mutum Ranjan Meitei (MANU/SC/0253/1998). Consequently, the court set aside the detention order and directed the release of the detenu, Yambem Lalit Singh, unless required in other cases.

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Tripura High Court: It is important to set up functioning CCTV systems across all police stations Ratna Roy Vs. The State of Tripura and Ors. MANU/TR/0363/2026; 2026:THC:1285-DB	The High Court of Tripura addressed the unlawful detention and assault of Saikat Saha by Rabindranath Ghosh and Joy Debnath, employees of the Agartala Municipal Corporation and police, respectively. The court confirmed the allegations through CCTV footage and a Special Investigation Team (SIT) report, leading to the suspension and departmental proceedings against involved police officers and the termination of Ghosh and Debnath. The court emphasized the importance of functional CCTV systems in police stations, referencing the Supreme Court's directives in Paramvir Singh Saini v. Baljit Singh & Others, (MANU/SC/0908/2020) and mandated their implementation. The writ petition was disposed of with these directions.
Kerala High Court: Minor's consent or relationship with accused holds no relevance under POCSO Act Reji Vs. The State of Kerala MANU/KE/2676/2026; 2026:KER:66679	The Kerala High Court reiterated that a minor's alleged love affair or consensual sexual relations with the accused cannot absolve him of liability under the POCSO Act, 2012 while upholding his conviction for aggravated sexual assault. The court upheld the Special Court's judgment, confirming the conviction and the ten-year sentence, and dismissed the appeal, directing the cancellation of bail.