

# BISANI LEGAL

## NEWSLETTER



January 2026



# THE LAWS-LETTER

## Top News

1. Supreme Court to Hear Parents Before Ruling on Passive Euthanasia Plea
2. Supreme Court: Financial Control Not 'Cruelty' Under Section 498A
3. Parliament Passes VB-G RAM G Bill Replacing MGNREGA
4. Supreme Court: No Civil Remedies Against Lok Adalat Awards
5. Karnataka Legislative Council passed the Karnataka Hate Speech and Hate Crimes (Prevention) Bill, 2025





## Newsletter Highlight

A concise legal roundup featuring landmark judicial-decisions shaping current jurisprudence, key enactments and policy developments influencing the regulatory landscape, and important legal trends and issues to watch out for in the coming month.

# Inside The Newsletter

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## COURT SPEAKS

Court Speaks brings together key judgments and landmark rulings that reflect the evolving approach of courts across India. These decisions offer important guidance on legal rights, obligations, and emerging jurisprudential trends.

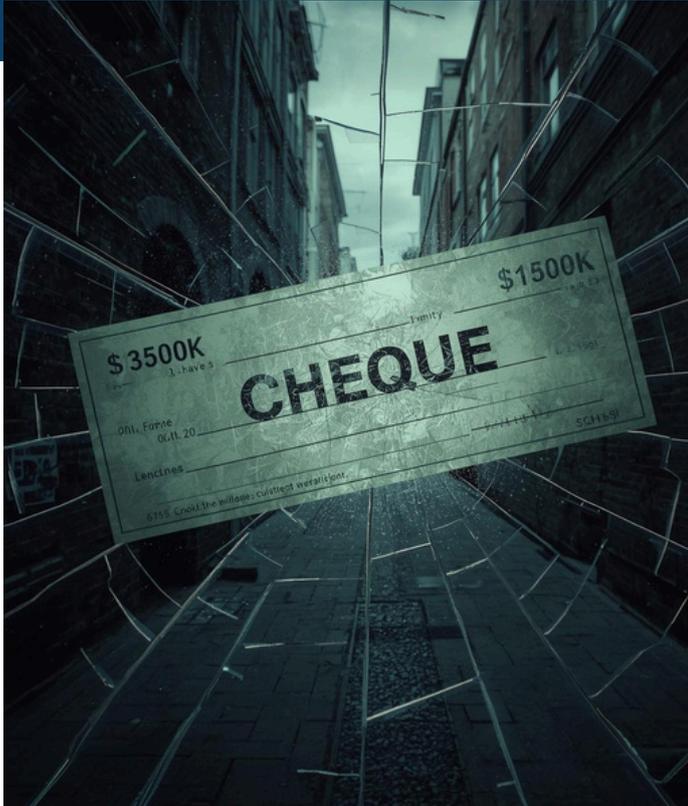
## POLICY WATCH

A curated overview of statutory-enactments, policy-reforms, and regulatory-updates, reflecting evolving legislative and administrative priorities.

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## LOOKING FORWARD

A forward view on legal trends and developments to watch



## Supreme Court Restores Enforceability of Cash-Loan Cheque Bounce Claims

*(Sanjabij Tari v. Kishore S. Borcar - 2025 INSC 1158)*

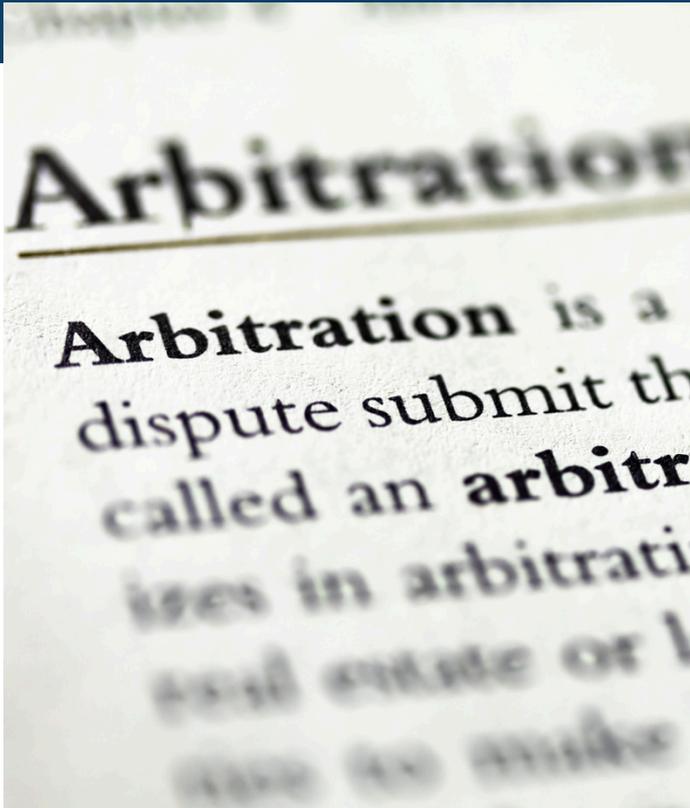
The Supreme Court of India has set aside the Kerala High Court ruling which held that debts arising from cash-transactions exceeding ₹20,000, in violation of Section 269SS of the Income-Tax Act, are not “legally-enforceable debts” under Section 138 of the Negotiable Instruments Act. Clarifying the legal position, the Apex Court held that a breach of the Income-Tax Act attracts only a statutory-penalty and does not render the underlying debt illegal, and that such debts remain legally-enforceable for the purposes of cheque-dishonour proceedings.

## Supreme Court: No Civil Remedies Against Lok Adalat Awards

*(Dilip Mehta v. Rakesh Gupta, - 2025 SCC OnLine SC 2737)*

The Supreme Court of India has held that awards passed by Lok Adalats under the Legal Services Authorities Act, 1987 enjoy statutory-finality and cannot be set aside, annulled or reopened through ordinary civil-remedies or execution-objections before courts. It clarified that the role of an executing-court is strictly confined to implementing such an award as a decree. The Court further held that the sole remedy available to an aggrieved party is to invoke the supervisory-jurisdiction of the High Court under Article 227 of the Constitution.





## Supreme Court: Arbitral Awards Not Set Aside for Mere Error in Law or Misappreciation of Evidence

*(Ramesh Kumar Jain v. Bharat Aluminium Company Ltd (BALCO) - 2025 INSC 1457)*

The Supreme Court of India has held that under Section 37 of the Arbitration and Conciliation Act, 1996, courts cannot act as appellate-forums to re-appreciate evidence or correct alleged errors of law in arbitral-awards. Setting aside the order of the Chhattisgarh High Court, the Court held that the High Court exceeded its jurisdiction by substituting its own interpretation for the findings of the arbitral-tribunal, thereby reaffirming the principle of limited judicial-interference in arbitral proceedings.

## Supreme Court Directs Sensitive Evaluation of Child Trafficking Evidence

*(K.P. Kirankumar @ Kiran v. State by Peenya Police - 2025 INSC 1473)*

The Supreme Court, calling child-trafficking and commercial sexual exploitation a “deeply-disturbing reality” in India, has directed courts to assess the evidence of minor victims with sensitivity and realism. It cautioned against discarding testimonies for minor inconsistencies, holding that a credible sole testimony can be sufficient for conviction. Courts were also urged to consider socio-economic vulnerability, prevent secondary victimisation, and treat victims as injured witnesses rather than accomplices.





## Supreme Court: “Last Seen” Theory Alone Insufficient for Conviction

*(Manoj @ Munna vs The State Of Chhattisgarh – 2025 INSC 1466)*

The Supreme Court of India quashed a murder-conviction, holding that a prosecution resting solely on circumstantial-evidence cannot be sustained on the “last-seen-together” theory in the absence of other corroborative-evidence. The Bench comprising Justices Sanjay Karol and Prashant Kumar Mishra emphasised that, without additional incriminating circumstances linking the accused to the offence, a conviction cannot be lawfully sustained.

## Supreme Court: Resignation Forfeits Pension Under CCS Rules

*(Ashok Kumar Dabas vs. Delhi Transport Corporation – 2025 INSC 1404)*

The Supreme Court of India has ruled that a government-employee’s resignation leads to forfeiture of past-service under the Central Civil Services (Pension) Rules, rendering the resigning employee ineligible for pensionary-benefits. The Court emphasised that voluntary-resignation is legally distinct from retirement, and that past-service cannot be counted for pension-entitlement unless the resignation is withdrawn in public-interest, thereby reinforcing a strict and literal interpretation of pension-rules.





## SC: Woman Can Approach Her ICC Against Harassment by External Employee

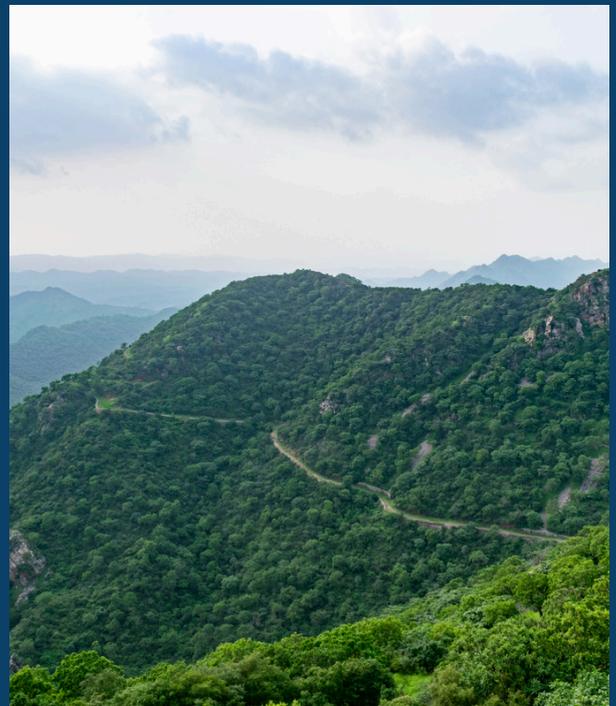
*(Dr Sohail Malik vs Union Of India - 2025 INSC 1415)*

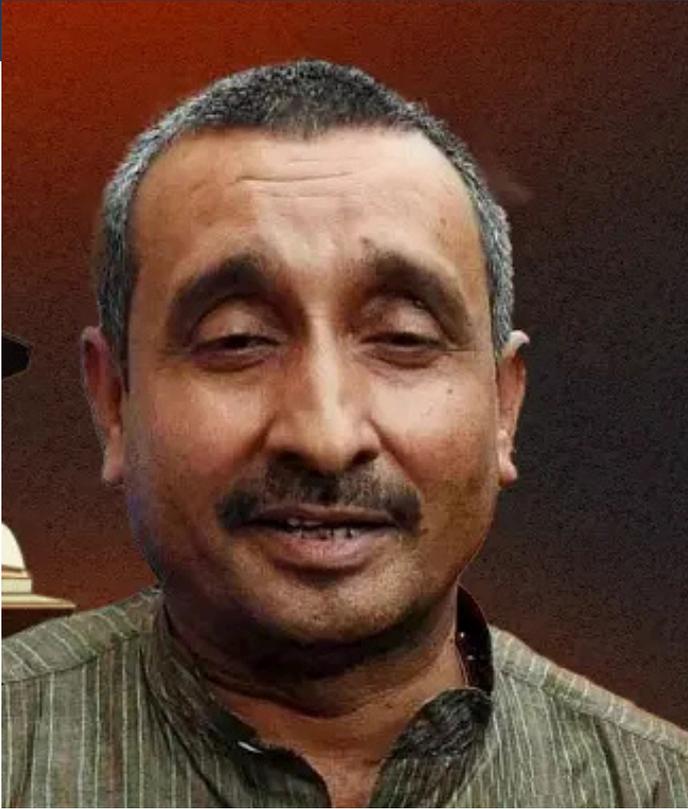
The Supreme Court of India has ruled that a woman subjected to workplace-sexual-harassment by an employee of another organisation is entitled to file a complaint before the Internal-Complaints-Committee (ICC) of her own workplace under the POSH Act. The Court held that procedural-technicalities must not obstruct access to redressal-mechanisms, thereby reinforcing the protective-scope and remedial intent of the Prevention of Sexual Harassment statute.

## Supreme Court's Aravalli Definition Ruling and Protests

*(In Re: Issues relating to definition of Aravali Hills and Ranges - 2025 INSC 1338)*

The Supreme Court of India has upheld the legal-definition issued by the Union Environment Ministry defining "Aravalli-Hills" as landforms rising at least 100 metres above local-relief and the "Aravalli-Range" as two or more such hills within 500 metres. The Court held that the definition provides regulatory-clarity while balancing environmental-protection with economic-activity, though critics argue it excludes nearly 90 per cent of the Aravalli-range, triggering protests in Rajasthan over ecological and groundwater concerns.





## SC stays Delhi High Court granting bail to Kuldeep Singh Sengar in Unnao rape case

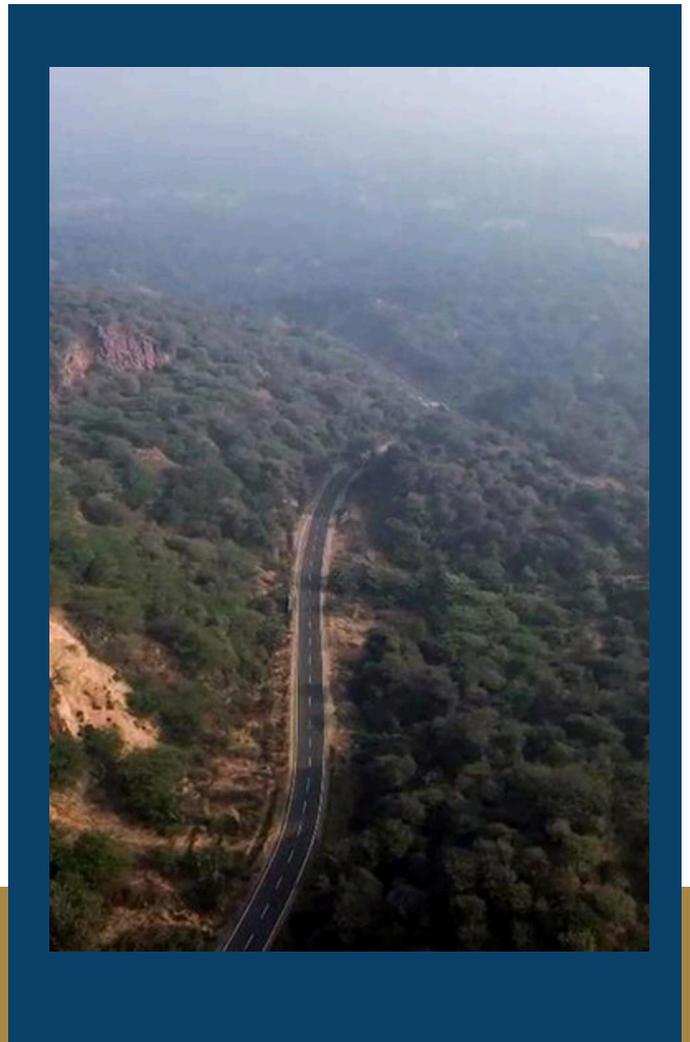
*(CBI v. Kuldeep Singh Sengar, SLP(Crl) 21367/2025)*

The Supreme Court of India, on 29 December 2025, stayed the operation of an order passed by the Delhi High Court suspending the life-sentence awarded to former Uttar Pradesh MLA Kuldeep Singh Sengar in the 2017 Unnao rape-case involving a minor. The Apex Court's intervention ensures that Sengar will remain in judicial-custody while his appeal is pending. The controversy arose from the High Court's prima-facie view that the offence of aggravated penetrative sexual-assault under the POCSO Act was not made out against the convict.

## Supreme Court stays its judgement on Aravalli Definition Ruling

*(In Re: Definition of Aravalli Hills and Ranges and Ancillary Issues - SMW(C) No. 10/2025)*

The Supreme Court of India, on 29 December 2025, heard a suo-motu case concerning the definition and protection of the Aravalli-Hills, taken up amid environmental-concerns and protests following a controversial new-definition. The Court kept its order dated 20<sup>th</sup> November 2025 in abeyance, observing that further clarification was required, particularly on the risks posed by mining-activities. It directed the constitution of a fresh expert-committee to re-examine the issue and listed the matter for further hearing on 21-01-2026.





## Supreme Court Rules Only Constitutional Courts Can Impose Life Sentence Without Remission

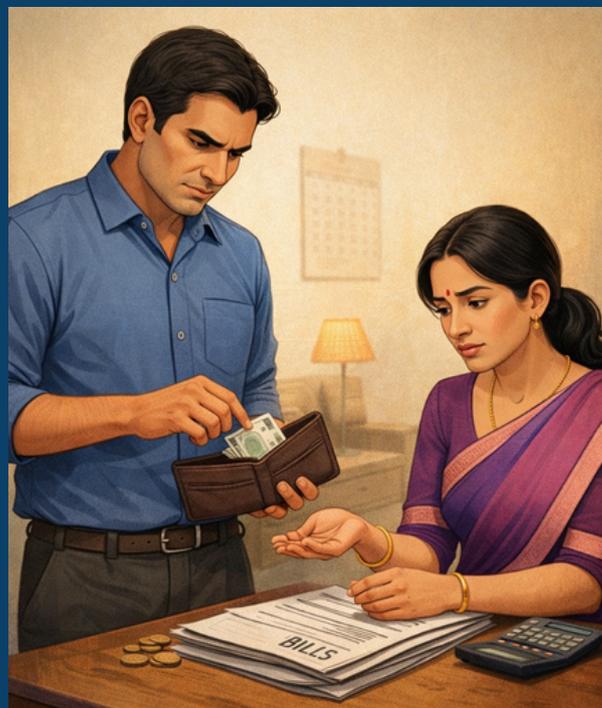
*(Kiran v. State of Karnataka, 2025 INSC 1453)*

The Supreme Court of India has held that only Constitutional-Courts possess the authority to impose life-imprisonment without the possibility of remission. It clarified that Sessions-Courts cannot curtail statutory-powers of remission or direct that a life-sentence shall extend till natural-death, as matters of remission and commutation are governed exclusively by the Code of Criminal Procedure and the relevant constitutional-provisions.

## Supreme Court: Financial Control Not 'Cruelty' Under Section 498A

*(Belide Swagath Kumar vs. State of Telangana & Anr 2025 INSC 1471)*

The Supreme Court on December 19, 2025 quashed a cruelty and dowry-harassment case in which the wife alleged that the husband's remittances to his parents and his insistence on maintaining household-expense records amounted to cruelty. The Court held that such conduct—sending money to one's family and tracking expenses—does not constitute cruelty or a dowry-demand in law, and characterised the allegations as vague and omnibus, insufficient to sustain criminal proceedings.





## Supreme Court: Tree-Felling Permission Must Follow Godavarman Forest Definition

*(The State of Uttar Pradesh Through Its Secretary & Others v. Jyoti Bhushan Mishra & Another)*

The Supreme Court of India has held that any permission to cut or remove trees must comply with the broad-definition of “forest” laid down in T.N. Godavarman Thirumulkpad v. Union of India (1997), even where the land is not formally notified as forest-land. The ruling reinforces that the forest-criteria evolved in the said judgment govern tree-felling approvals, thereby extending legal-protection beyond areas officially declared as forests.

## HC Must Assess Fair Chance of Acquittal Before Suspending Sentence

*(Jamnalal v. State of Rajasthan)*

The Supreme Court of India has held that a High Court must not grant suspension of sentence under Section 389 of the CrPC without first assessing whether the convicted person has a fair-chance of acquittal in appeal. Setting aside the order of the Rajasthan High Court, the Apex Court clarified that appellate-courts are required to record a prima-facie satisfaction, based on the case-record, that the conviction may not be sustainable before suspending execution of sentence and releasing the convict pending appeal.



## KSRTC Introduces Paid Menstrual Leave from January 2026

The Karnataka State Road Transport Corporation has issued a circular granting women-employees one day of paid menstrual-leave per month, with effect from 1st January 2026. The benefit applies to women aged 18–52 years, does not require a medical-certificate, must be availed within the same month, and cannot be carried forward. Eligible employees may avail up to 12 days of paid menstrual-leave annually under the Karnataka Menstrual Leave Policy-2025.



## Parliament Clears Bill to Repeal 71 Obsolete Laws

Parliament passed the Repealing and Amending Bill, 2025, with voice votes in both Houses, targeting 71 outdated statutes, some dating back to colonial times. The legislation aims to streamline India's statute book, improve ease of living, and correct drafting errors in select laws, including updates to General Clauses Act and Code of Civil Procedure. Debate included concerns over depth of impact assessments.

## Karnataka Hate Speech Bill Passed After Heated Debate

The Karnataka Legislative Council passed the Karnataka Hate Speech and Hate Crimes (Prevention) Bill, 2025 after over six-hours of debate, following its earlier approval by the State Assembly. The legislation seeks to curb hate-speech and related offences by making them non-bailable and punishable with stringent prison-terms. Opposition members staged strong protests, contending that the law threatens free-speech and is vulnerable to misuse. The Bill has now been sent for the Governor's assent.



## Overview of India's Four Labour Codes

Four consolidated labour-codes on Wages, Industrial-Relations, Social-Security, and Occupational-Safety, Health & Working-Conditions have replaced 29 legacy labour-statutes, marking a major overhaul of India's labour-law framework. Implemented with effect from 21st November 2025, the codes aim to simplify regulation, reduce fragmentation, harmonise definitions, and streamline compliance, while expanding worker-protections and extending statutory coverage to unorganised, gig, and platform workers.



## Parliament Passes VB-G RAM G Bill Replacing MGNREGA

Parliament on 19 December 2025 passed the Viksit Bharat-Guarantee for Rozgar and Ajeevika Mission (Gramin) Bill, 2025 (VB-G RAM-G), repealing the two-decade-old MGNREGA framework and introducing a new rural-employment regime. The legislation enhances the statutory employment-guarantee from 100 to 125 days of unskilled work per rural household annually, links wage-employment with infrastructure and livelihood-creation, and shifts funding to a centrally-sponsored 60:40 Centre-State cost-sharing model with normative-allocations. The Bill was cleared amid Opposition protests and walkouts, with critics alleging dilution of rights-based guarantees and increased fiscal-burden on States.





# LOOKING FORWARD

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## 1. SUPREME COURT TO HEAR PARENTS BEFORE RULING ON PASSIVE EUTHANASIA PLEA

*(Harish Rana v. Union of India)*

The Supreme Court of India has stated that it will meet in person with the parents of Harish Rana, who is in a prolonged vegetative-state, before deciding a petition seeking passive-euthanasia and withdrawal of life-sustaining treatment. The Bench has scheduled the appearance of the family on 13<sup>th</sup> January 2026 and emphasised that the matter will be examined with sensitivity and informed-consideration, strictly within the existing legal-framework governing passive-euthanasia in India.

## 2. INDIA'S PROPOSED AI BILL

India's proposed Artificial-Intelligence (Ethics and Accountability) Bill, 2025 seeks to regulate the use of AI by introducing clear accountability-standards, particularly for high-risk applications such as surveillance. The Bill envisages regulatory-oversight through a dedicated Ethics-Committee and provides for penalties in cases of misuse or non-compliance. While the proposed framework aims to promote responsible-AI deployment and safeguard fundamental-rights, experts have cautioned that vague definitions and stringent compliance-requirements may impose significant operational and cost-burdens on businesses as well as public-authorities.



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