

Judicial Outlook Of Supreme Court On Ordering Investigation Under Section 156(3) CrPC

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Abstract: Section 156(3) of the Code of Criminal Procedure, 1973 (CrPC) empowers a Magistrate to order an investigation by the police into an offence. Traditionally seen as a procedural provision to ensure police investigation where law enforcement fails to act, the provision has generated significant judicial scrutiny — particularly from the Supreme Court of India. The Supreme Court's jurisprudence has clarified the scope, nature, and limitations of the Magistrate's authority under Section 156(3), highlighting its role as a check on police inaction, the circumstances under which it may be invoked, and its relationship with other procedural provisions such as Sections 154, 200, 202, and Section 173 CrPC. Landmark judgments like *Sakiri Vasu v. State of UP* and subsequent clarifications have shaped modern understanding of the Magistrate's duty and discretion in ordering investigations. Recent pronouncements have also emphasized the Magistrate's obligation to order police investigation when a *prima facie* cognizable offence is made out, particularly in cases involving sensitive crimes like sexual offences. This paper explores these judicial interpretations, analytical principles governing the provision, and the broader implications for criminal justice administration.

Keywords: Section 156(3) CrPC, Magistrate's Powers, Cognizable Offence, FIR, Judicial Oversight, *Prima Facie*, Supreme Court, Police Inaction.

*"Investigation is ordered, but not blindly,
The Court reads 156(3) sternly and kindly"*

I. INTRODUCTION

The power to order investigation under Section 156(3) of the Code of Criminal Procedure, 1973 (CrPC) occupies a crucial place in the criminal justice system of India. It serves as a judicial mechanism to ensure that cognizable offences do not go uninvestigated due to police inaction, apathy, or abuse of discretion. While Section 156(3) empowers a Magistrate to direct the police to register an FIR and conduct investigation, the exercise of this power has significant implications for individual liberty, police autonomy, and judicial oversight. Consequently, the Supreme Court of India has, over time, evolved a nuanced judicial outlook governing the scope, limits, and safeguards associated with this provision.

Initially, the provision was interpreted broadly, allowing Magistrates considerable discretion to direct investigations whenever a cognizable offence was disclosed. However, increasing instances of misuse—particularly to harass

individuals or to bypass statutory remedies—prompted judicial concern. The Supreme Court has consistently emphasized that Section 156(3) is not to be invoked mechanically or as a matter of routine. Instead, it must be exercised judiciously, with due application of mind and only when the interests of justice so demand. Through landmark judgments such as *Sakiri Vasu v. State of Uttar Pradesh*, *Priyanka Srivastava v. State of Uttar Pradesh*, and subsequent decisions, the Court has laid down procedural safeguards, including the requirement of affidavits and preliminary satisfaction of the Magistrate.

The judicial approach reflects a balancing act between two competing considerations: the need to provide effective remedies to victims of crime and the necessity to prevent frivolous or vexatious litigation. The Supreme Court's interpretation underscores accountability in judicial orders while preserving the investigative domain of the police. This research paper seeks to critically examine the judicial outlook

of the Supreme Court on ordering investigation under Section 156(3) CrPC[Now Section 175(3) BNSS], tracing the evolution of principles, analysing key judgments, and assessing their impact on criminal procedure and access to justice in India.

II. SUPREME COURT SET ASIDE THE ORDERS OF THE SPECIAL JUDGE AND HIGH COURT, DIRECTING THAT THE SECTION 156(3) CRPC COMPLAINT BE FIRST ADJUDICATED ON MERITS, AND ONLY IF FOUND FALSE WITH THE NECESSARY INTENT, APPROPRIATE ACTION UNDER SECTION 340/195 CRPC COULD FOLLOW

In *Subhash Chandra v. State of U.P. & Others*, the petitioner alleged that Respondents 3–6 forcibly took away 350 bags of his potatoes and assaulted him in March 1998, and later assaulted and robbed him of ₹500. After the police refused to act, he first filed a complaint before the Chief Judicial Magistrate (CJM). On legal advice, he filed a Section 156(3) CrPC application before the Special Judge (DAA), Farrukhabad, which led to registration of an FIR. Respondents challenged this, and the High Court stayed the order and allowed objections. The Special Judge then recalled the FIR order, issued a show-cause notice accusing the petitioner of concealing the earlier CJM complaint, and initiated proceedings under Section 182 IPC. The High Court directed a complaint under Section 340 CrPC read with Section 195 CrPC against the petitioner. The petitioner challenged these orders before the Supreme Court. The Supreme Court held that initiation of proceedings under Section 182 IPC and directions to lodge a 340/195 CrPC complaint were premature, as the falsity of the petitioner's complaint and requisite mens rea had not been established. It set aside the orders of the Special Judge and High Court, directing that the Section 156(3) CrPC complaint be first adjudicated on merits, and only if found false with the necessary intent, appropriate action under Section 340/195 CrPC could follow.

III. AFFIRMING THAT A JUDICIAL MAGISTRATE, BEFORE TAKING COGNIZANCE OF AN OFFENCE, IS EMPOWERED UNDER SECTION 156(3) CRPC TO ORDER AN INVESTIGATION BY THE POLICE AND THAT SUCH AN ORDER MAY INCLUDE DIRECTING REGISTRATION OF AN FIR

In this case, the respondent filed a private complaint before the Chief Judicial Magistrate, Neemuch (M.P.), alleging that the appellant and his wife had committed offences under Section 3 of the Prize Chits and Money Circulation Scheme (Prohibition) Act and Section 420 of the IPC. The Magistrate, on 18 Aug 1999, directed the police to register an FIR and investigate the matter under Section 156(3) of the CrPC. The appellant challenged this order, first in revision before the Sessions Court and then under Section 482 of the CrPC before the High Court, contending that the magistrate lacked power to direct police registration or should

have examined the complainant on oath. Both courts upheld the Magistrate's order.

The Supreme Court dismissed the appeal, affirming that a Judicial Magistrate, before taking cognizance of an offence, is empowered under Section 156(3) CrPC to order an investigation by the police and that such an order may include directing registration of an FIR. The Court rejected the proposition that the magistrate must examine the complainant on oath prior to directing investigation, distinguishing between investigative powers under Section 156 and cognizance procedures under Section 202. The magistrate's power to send a complaint for police investigation with an FIR direction under Section 156(3) CrPC was lawful, and the High Court's validation of that order was affirmed by the Supreme Court.

A. ORDERING INVESTIGATION UNDER SECTION 156(3) DOES NOT AMOUNT TO TAKING COGNIZANCE OF AN OFFENSE AND THAT THE HIGH COURT'S ORDER WAS UNSUSTAINABLE IN LAW

In *Mohd. Yousuf vs. Smt. Afaq Jahan & Anr*, the Supreme Court dealt with the legal scope of a Magistrate's power under Section 156(3) of the Code of Criminal Procedure, 1973. The appellant, Mohd. Yousuf, received a bank notice demanding repayment of a loan on the basis that he was a guarantor for a loan taken by respondent no. 1, though he claimed he never acted as such. Upon enquiry, he discovered his signatures on credit documents and an affidavit were forged. After an unsuccessful writ petition to quash the bank notice, he approached the Chief Judicial Magistrate (CJM), Raebareli, who directed the police to register an FIR and investigate under Section 156(3). An FIR was registered and investigation followed, leading to a charge sheet. Respondent no. 1 then filed a petition under Section 482 CrPC in the Allahabad High Court to quash the FIR, charge sheet, and related orders. The High Court accepted her contention that the Magistrate lacked power to order the FIR without first taking cognizance, and quashed the proceedings.

The Supreme Court reversed this, holding that a Magistrate may, before taking cognizance, legally order an investigation under Section 156(3) and direct FIR registration. The Court clarified that ordering investigation under Section 156(3) does not amount to taking cognizance of an offense and that the High Court's order was unsustainable in law. Accordingly, the appeal was allowed and the High Court's quashing order was set aside.

B. THE COURT FOUND THE MATERIAL DID NOT DISCLOSE A PRIMA FACIE CASE WARRANTING A CBI PROBE, GIVEN EXISTING INQUIRIES POINTED TO SUICIDE, AND DISMISSED THE APPEAL

In *Sakiri Vasu vs State of U.P. and Others*, the appellant's son, an Indian Army Major, was found dead on 23 Aug 2003 at Mathura Railway Station. The Government Railway Police (G.R.P.), Mathura, and two Army Courts of Inquiry all concluded the death was a suicide/accident. Dissatisfied, the appellant alleged murder linked to his son's supposed exposure of corruption and sought a CBI investigation after

the Allahabad High Court dismissed his writ petition. The Supreme Court affirmed that no individual has a right to insist on investigation by a specific agency; the law only guarantees a proper investigation, not by a chosen agency. It clarified procedural remedies under the Criminal Procedure Code: grievances about non-registration of FIRs should first be taken to senior police officers under Sections 36/154(3) Cr.P.C., and if unresolved, to a Magistrate under Section 156(3) Cr.P.C., who can order or monitor a proper investigation. The Court stressed that High Courts should not routinely entertain writs under Article 226/Section 482 Cr.P.C. when alternative remedies exist.

Applying these principles, the Court found the material did not disclose a prima facie case warranting a CBI probe, given existing inquiries pointed to suicide, and dismissed the appeal.

C. HOLDING THAT AN INADVERTENT MISDESCRIPTION IN A PROSPECTUS DOES NOT AMOUNT TO AN OFFENCE SUCH AS DEFAMATION OR THE OTHER PENAL OFFENCES ALLEGED

In *Maksud Saiyed v. State of Gujarat & Ors*, the Supreme Court dealt with a criminal appeal against a High Court order quashing a complaint and police investigation triggered by a complaint under IPC Sections including 120B, 177, 181, 191, 192, 196, 199, 470, 471 and 500 arising from allegations in a prospectus published by Dena Bank. The appellant, a director of Nagami Nicotine Pvt. Ltd., alleged that the prospectus contained false and misleading references to litigation (wrongly stating it was before the DRT instead of the Civil Court) and other loan-related matters, damaging his company's reputation. He lodged a criminal complaint and sought investigation, but the Magistrate ordered police inquiry under CrPC Section 156(3), which was later quashed by the High Court under Section 482.

The Supreme Court upheld the High Court's order, holding that an inadvertent misdescription in a prospectus does not amount to an offence such as defamation or the other penal offences alleged, especially where the substantive facts (amount claimed, case pending) were correct and not disputed. The Court emphasized that the Magistrate had failed to apply his mind properly, wrongly characterized parties, and that there was no personal liability of bank officials as vicarious liability is not attracted merely by the company's acts without statutory basis. Consequently, the appeal was dismissed with costs, affirming that the complaint did not disclose prima facie criminality warranting investigation.

IV. THE SUPREME COURT UPHELD THE HIGH COURT'S DECISIONS, HOLDING THAT THE MAGISTRATE DID NOT ERR IN DIRECTING INVESTIGATION UNDER SECTION 156(3) AND THAT THE APPELLANTS' CHALLENGE WAS PREMATURE

In *Srinivas Gundluri & Ors. v. SEPCO Electric Power Construction Corporation & Ors*, the Supreme Court

considered two criminal appeals arising from disputes between SEPCO and SSVG Engineering Projects Pvt. Ltd. (appellants). SEPCO, engaged in power plant construction, awarded a contract worth ₹42.92 crore to SSVG and paid a 50% advance. SSVG alleged that SEPCO failed to hand over the site, but SEPCO cancelled the contract claiming failure to mobilize resources and diverted funds, and lodged a criminal complaint alleging offences including cheating and criminal breach of trust. A Magistrate ordered investigation under Section 156(3) CrPC directing the police to register an FIR. The appellants challenged this order and the freezing of their bank account before the High Court of Chhattisgarh, which rejected their writ and appeal, holding that the Magistrate acted within his powers.

The Supreme Court upheld the High Court's decisions, holding that the Magistrate did not err in directing investigation under Section 156(3) and that the appellants' challenge was premature. It also allowed SEPCO's appeal against the interim stay of a warrant issued for the appellant's arrest. The Court clarified that ordering police investigation was not illegal and dismissed the appeal.

A. MAGISTRATE MAY DIRECT AN INVESTIGATION UNDER SECTION 156(3) ONLY AT A PRE-COGNIZANCE STAGE, WHEREAS A COURT CAN PROCEED UNDER SECTION 202 AFTER TAKING COGNIZANCE OF THE COMPLAINT

In this case, the appellant, *Rameshbhai Pandurao Hedau*, was the elder brother of the deceased, *Kamleshbhai*, whose body was found near *Govindbhai Ghat* on the *Sarkhej-Narol Highway* on 17 October 2006. A post-mortem and subsequent expert reports concluded that the death resulted from natural causes (cardio-respiratory arrest due to lung pathology). Based on these findings, the local police closed the investigation. Dissatisfied, the appellant lodged a protest petition alleging offences under Sections 302, 114 read with 120-B of the IPC and requested a new investigation under Section 156(3) CrPC. The Magistrate, however, treated the protest petition as a complaint under Section 200 CrPC and postponed issuance of process, initiating an inquiry under Section 202 CrPC instead. The Gujarat High Court upheld that order. On appeal, the Supreme Court dismissed the appeal, holding that a Magistrate may direct an investigation under Section 156(3) only at a pre-cognizance stage, whereas a court can proceed under Section 202 after taking cognizance of the complaint. Since the Magistrate rightly invoked Section 202 in the circumstances, there was no reason to interfere with the orders below.

B. THE MATTER WAS REMITTED TO THE MAGISTRATE UNDER SECTION 156(3) CRPC TO ENSURE A PROPER INVESTIGATION. APPEALS WERE ALLOWED

In *Sudhir Bhaskarrao Tambe v. Hemant Yashwant Dhage and Others*, the Supreme Court of India dealt with two appeals against a common Bombay High Court judgment dated 8-9-2009. The High Court had, in exercise of its writ jurisdiction under Article 226 of the Constitution, replaced the investigating officer and appointed a Special Investigating

Officer to probe an alleged offence. The Supreme Court confined itself to the procedural legality of this direction, noting that the detailed facts of the underlying criminal allegations were not reproduced in its order.

Relying on its earlier decision in *Sakiri Vasu v. State of U.P.*, the Court reiterated that where a complainant alleges non-registration of an FIR or improper investigation, the proper remedy is to approach the jurisdictional Magistrate under Section 156(3) of the Code of Criminal Procedure (CrPC), not to invoke High Court writ jurisdiction directly. A Magistrate, if prima facie satisfied, may direct registration of an FIR, ensure a proper investigation, and in his discretion, recommend a change of investigating officer. High Courts entertaining writ petitions for such relief risk being inundated. Because the High Court had overstepped this procedural framework, its order appointing a Special Investigating Officer was set aside. The matter was remitted to the Magistrate under Section 156(3) CrPC to ensure a proper investigation. Appeals were allowed.

C. THE COURT EMPHASIZED THE STATUTORY DUTY OF POLICE TO REGISTER FIRS ON PRIMA FACIE COGNIZABLE ALLEGATIONS AND HELD THERE WAS NO BAR TO REGISTRATION WHERE THE MATTERS WERE NOT IDENTICAL

In *Anju Chaudhary vs State of U.P. & Anr.*, the Supreme Court of India addressed whether more than one First Information Report (FIR) can be registered in respect of the same set of incidents or occurrences. The case arose from communal violence in Gorakhpur in January 2007 following the murder of a youth, which led to a curfew. A complaint under Section 156(3) CrPC was filed by a social activist alleging that speeches by public figures, including Yogi Adityanath and others present at a public meeting attended by appellant Anju Chaudhary, had incited violence against Muslims. Although an FIR (No.145/2007) had already been registered relating to a burning of a Muslim's shop, the Magistrate refused to register another FIR on the ground that one FIR already existed. The High Court set aside this order and directed registration of a new FIR.

The Supreme Court upheld the High Court's direction, clarifying that while two FIRs cannot be registered for the same offence or occurrence, separate incidents or distinct events arising from the same broader situation may justify separate FIRs. The Court emphasized the statutory duty of police to register FIRs on prima facie cognizable allegations and held there was no bar to registration where the matters were not identical.

V. THE COURT ALSO STRESSED THAT A MAGISTRATE MUST APPLY JUDICIAL MIND WHEN ORDERING INVESTIGATION AND THAT FAILURE TO OBTAIN SANCTION DEPRIVES THE COURT OF JURISDICTION.

In *Anil Kumar v. M.K. Aiyappa*, the appellants filed a private criminal complaint under Section 200 of the Code of Criminal Procedure (CrPC) alleging that the respondent, a

public servant, had acted with mala fide intent in restoring valuable land to a private person and subsequently recalling the order. They invoked various IPC and Prevention of Corruption Act offences. The Special Judge (Prevention of Corruption) in Bengaluru, without obtaining government sanction, referred the matter for investigation under Section 156(3) CrPC. The respondent challenged this before the Karnataka High Court on the ground that a valid sanction under Section 19 of the Prevention of Corruption Act, 1988 was required before any action could be taken against a public servant. The High Court agreed and quashed both the referral order and the complaint.

The Supreme Court dismissed the appeal, upholding the High Court's decision. It reaffirmed that prior sanction is a mandatory precondition for any judicial action against a public servant in corruption matters, including referral for investigation under Section 156(3) CrPC, even at the pre-cognizance stage. The Court also stressed that a magistrate must apply judicial mind when ordering investigation and that failure to obtain sanction deprives the court of jurisdiction.

A. THE SUPREME COURT UPHELD THE MAGISTRATE'S POWER TO ORDER INVESTIGATION BEFORE TAKING COGNIZANCE, FINDING NO ILLEGALITY IN THE PROCEDURE ADOPTED AND THAT THE HIGH COURT RIGHTLY REFUSED TO QUASH THE PROCEEDINGS

The appellants, *Madhao Rukhmaji Vaidya*, and *Sadhana Mahukar Yavalkar*, were officials involved in implementing a Maharashtra Government scheme to purchase land for distribution to Below Poverty Line Scheduled Caste and neo-Buddhist beneficiaries. In 2005, they executed a registered sale deed for agricultural land allegedly owned by eight persons. A newspaper article later claimed the land was purchased showing a deceased person as alive and that signatures were forged. Following this, appellant No.1 conducted an inquiry and lodged a police report for offences including impersonation and cheating. Subsequently, a third party filed a criminal complaint against the appellants and others, alleging purchase of land from a dead person. The Judicial Magistrate, before taking formal cognizance, directed an investigation by police under Section 156(3) of the CrPC. The appellants sought quashing of the prosecution before the Bombay High Court under Section 482 CrPC; the High Court refused. Before the Supreme Court, the sole issue was whether the Magistrate's direction for investigation was justified. The Supreme Court upheld the Magistrate's power to order investigation before taking cognizance, finding no illegality in the procedure adopted and that the High Court rightly refused to quash the proceedings. Consequently, all appeals were dismissed.

B. INFORMATION ON ITS FACE DISCLOSES A COGNIZABLE OFFENCE, THE POLICE HAVE NO DISCRETION AND MUST IMMEDIATELY REGISTER THE FIR

In *Lalita Kumari v. Government of U.P. & Ors*, the Supreme Court of India (Constitution Bench) addressed a writ petition under Article 32 arising from police delay in acting on information about the kidnapping of the minor petitioner. The core legal question was whether a police officer must mandatorily register an FIR under Section 154 CrPC upon receipt of information disclosing a cognizable offence or whether the police could first conduct a preliminary inquiry to test the veracity of the information. The Court held that where information on its face discloses a cognizable offence, the police have no discretion and must immediately register the FIR, and no preliminary inquiry is permissible before registration, as that would frustrate the statutory mandate. If the information does not disclose a cognizable offence but suggests the need for inquiry, a limited preliminary inquiry may be made only to determine if a cognizable offence is disclosed — and if so, an FIR must be registered. Further, the Court reaffirmed that if the officer in-charge refuses to record the information, the aggrieved person can send it in writing to the Superintendent of Police, who can direct investigation under Section 154(3) CrPC.

C. THE SUPREME COURT ALLOWED THE APPEAL AND QUASHED THE FIR REGISTERED AGAINST THE APPELLANTS, REINFORCING THAT CRIMINAL PROCEEDINGS CANNOT BE USED AS LEVERAGE IN COMMERCIAL DISPUTES

In *Priyanka Srivastava & Anr vs State of U.P. & Ors*, the Supreme Court examined the misuse of criminal procedure to harass officials of a financial institution and stressed the proper scope of Section 156(3) Criminal Procedure Code (CrPC). The dispute arose from default on a housing loan taken by a borrower, Prakash Kumar Bajaj, from Punjab National Bank Housing Finance Limited. After various civil remedies under the SARFAESI Act were exhausted, the borrower repeatedly filed criminal complaints against bank officials alleging conspiracy, forgery and other offences, seeking investigation and FIRs under Section 156(3) CrPC. The High Court declined to quash an FIR registered on such a complaint, prompting the appeal. The Supreme Court observed that invoking Section 156(3) CrPC must not become a routine tool to harass persons simply because civil remedies exist and proper statutory procedures (like under SARFAESI) apply. The Court held that Magistrates must exercise caution and vigilance and that such applications should ideally be supported by sworn affidavits to deter frivolous and vexatious litigation. Ultimately, the Supreme Court allowed the appeal and quashed the FIR registered against the appellants, reinforcing that criminal proceedings cannot be used as leverage in commercial disputes.

D. CONSEQUENTLY, THE MAGISTRATE AND HIGH COURT RIGHTLY DIRECTED A REPORT UNDER SECTION 202 INSTEAD OF A FULL INVESTIGATION

In this criminal appeal, *Ramdev Food Products Pvt. Ltd.*, challenged the orders of the Judicial Magistrate, First Class, Sanand and the Gujarat High Court for refusing to direct an investigation under Section 156(3) of the CrPC on its complaint alleging forgery of partnership documents and usurpation of its “Ramdev” trademark by the accused, including a partner of New Ramdev Masala Factory. The appellant had sought a formal police investigation into offences under various IPC provisions. Instead of ordering investigation, the Magistrate chose to conduct a limited inquiry under Section 202 CrPC, calling for a police report within thirty days. The High Court upheld that order, noting the appellant’s delay in approaching it and the pendency of related civil litigation. The Supreme Court affirmed both courts. It held that mere allegations of forgery do not mandate a Section 156(3) investigation; the Magistrate has discretion to opt for a Section 202 inquiry to determine if there are sufficient grounds to proceed. The Court emphasized that the dispute was primarily civil in nature and the material did not prima facie disclose a cognizable offence warranting compulsory investigation. Consequently, the Magistrate and High Court rightly directed a report under Section 202 instead of a full investigation.

E. CONFLICTING PRECEDENTS: SOME HELD THAT DIRECTING INVESTIGATION UNDER SECTION 156(3) IS PRE-COGNIZANCE AND DOES NOT ATTRACT THE SANCTION REQUIREMENT, WHILE OTHERS HELD THE OPPOSITE

In *Manju Surana vs Sunil Arora & Ors*, the Supreme Court examined whether prior sanction under Section 19 of the Prevention of Corruption Act, 1988 (PC Act) is required before initiating an investigation under Section 156(3) of the Code of Criminal Procedure (Cr.P.C.) against public servants accused of corruption. The appellant had filed a criminal complaint alleging conspiracy and corruption in respect of government drinking-water projects, seeking police investigation and FIR registration against several officials, including the Principal Secretary to the Chief Minister. The Special Judge dismissed the complaint, and the High Court upheld this, on the ground that no prior sanction was obtained before referring the matter for investigation. The key legal issue was whether the requirement of sanction for prosecution applies even at the pre-cognizance investigative stage under Section 156(3) Cr.P.C. The appellant argued that sanction is required only at the stage of taking cognizance, not for directing investigation. The Court noted conflicting precedents: some held that directing investigation under Section 156(3) is pre-cognizance and does not attract the sanction requirement, while others held the opposite. Finding the issue unresolved, the Court referred the question to a larger Bench to settle this legal controversy definitively.

VI. THE SUPREME COURT UPHELD THE HIGH COURT'S SETTING ASIDE OF THE ORDER FOR FURTHER INVESTIGATION, BUT DIRECTED THAT A FRESH FIR BASED ON CREDIBLE REVENUE FRAUD COMMUNICATION BE REGISTERED AND INVESTIGATED.

The case arose from an FIR lodged on 22 December 2009 alleging that *Vinubhai Haribhai Malaviya*, and others blackmailed and attempted to extort ₹2.5 crore from landowners concerning a plot near Surat, Gujarat, including use of allegedly fake documents and conspiracy with heirs of former tenants. A charge-sheet was filed, and the Magistrate took cognizance, issuing summons for offences under various IPC sections. The accused sought further investigation and, separately, an FIR or investigation under Section 156(3) CrPC. The Magistrate refused the Section 156(3) request; the Sessions Court initially ordered further investigation, but the High Court reversed this, holding that post-cognizance the Magistrate lacked power to order further investigation under Section 156(3).

The Supreme Court clarified that the Magistrate does possess independent jurisdiction under Section 156(3) to direct an investigation even after a charge-sheet and cognizance, and the provision remains intact post-CrPC 1973. However, on the facts, the Court found that what was sought was essentially a *cross-FIR* rather than material relevant to the original FIR and thus beyond appropriate further investigation scope. Consequently, the Court upheld the High Court's setting aside of the order for further investigation, but directed that a fresh FIR based on credible revenue fraud communication be registered and investigated.

A. THE SUPREME COURT PARTLY ALLOWED THE APPEAL, SETTING ASIDE THE HIGH COURT'S DIRECTION TO REGISTER AN FIR

In Criminal Appeal No. 102 of 2011, *S. Janaki* (respondent) filed a writ before the Madurai Bench of the Madras High Court seeking direction to the police to register an FIR based on her complaint of offences under IPC Sections 403, 406, 408, 418(i), 420, 424 & 465. The High Court allowed her petition and directed the police to register an FIR and investigate. Aggrieved, *M. Subramaniam*, and another—who were not parties to that High Court petition—approached the Supreme Court under Article 136. The Supreme Court granted leave and stayed the High Court's order. Despite the stay, an FIR (Crime No. 7 of 2010) was registered. The appellants contended that the High Court lacked jurisdiction to direct registration of an FIR in a civil dispute context and that the correct remedy lay elsewhere.

The Supreme Court partly allowed the appeal, setting aside the High Court's direction to register an FIR. The Court emphasized that High Courts should not entertain writs for FIR registration; aggrieved persons must instead approach a Magistrate under Section 156(3) of the CrPC to order registration and proper investigation. The decision clarified that a civil dispute should not automatically be treated as a criminal offence, though the complainant was not barred from

pursuing police action or approaching a Magistrate. The Court made no expression on merits of the complaint.

B. THE APPELLANTS CHALLENGED THE FIR AS AN ABUSE OF PROCESS AND A CIVIL DISPUTE WRONGLY MADE CRIMINAL

In *Kapil Agarwal vs Sanjay Sharma*, the Supreme Court dealt with an appeal against an Allahabad High Court order refusing to quash an FIR registered under Sections 406 (criminal breach of trust) and 420 (cheating) IPC in Ghaziabad. The dispute arose from a terminated distributorship between Sanjay Sharma and M/s Varun Beverages Ltd. (VBL). After the complainant's cheque bounced and civil reconciliation showed dues, VBL filed a Section 138 NI Act complaint. Sharma later sought registration of an FIR alleging misappropriation, but the magistrate treated it as a complaint. After delays, he lodged the FIR in 2017 against VBL officers, including Kapil Agarwal. The appellants challenged the FIR as an abuse of process and a civil dispute wrongly made criminal. They contended that essential ingredients of cheating or breach of trust against them personally were absent and pointed to pending proceedings under Section 156(3) Cr.P.C. and the NI Act. The Supreme Court agreed that the impugned FIR was an abuse of process filed to harass the appellants, noting the pending proceedings and repeated attempts without reference to those cases in the FIR. The Court held that the High Court should have quashed the FIR in exercise of powers under Article 226/482 Cr.P.C., and accordingly quashed it, without adjudicating the merits of underlying allegations.

C. THE SUPREME COURT UPHELD THE HIGH COURT'S DECISION, AFFIRMING THAT THE COMPLAINT'S AVERMENTS PRIMA FACIE DISCLOSED OFFENCES AND THAT INHERENT POWERS SHOULD NOT BE USED TO STIFLE LEGITIMATE PROSECUTION ABSENT CLEAR ABUSE OF PROCESS

In *Vijay Kumar Ghai vs. The State of West Bengal*, the Supreme Court examined an appeal against the Calcutta High Court's October 2019 order refusing to quash an FIR and ensuing criminal proceedings under Sections 406 (criminal breach of trust), 420 (cheating) and 120B (criminal conspiracy) of the IPC arising from Bowbazar Police Station, Kolkata. The dispute arose from a 2008 investment of ₹2.5 crore by a representative of SMC Global Securities Ltd. into Priknit Apparels in exchange for shares. When the company failed to fulfil certain commitments, the investor filed multiple complaints — initially in Delhi and subsequently in Kolkata — alleging criminality. The High Court dismissed the appellants' petition under Section 482 CrPC, holding that the allegations disclosed prima facie cognizable offences and that continuation of the proceedings was not an abuse of the process of court. The appellants contended the matter was purely a civil-commercial dispute, that there was no dishonest intention or criminality, and that the second FIR was an instance of forum shopping. The Supreme Court upheld the High Court's decision, affirming

that the complaint's averments prima facie disclosed offences and that inherent powers should not be used to stifle legitimate prosecution absent clear abuse of process.

D. THE SUPREME COURT SET ASIDE THE HIGH COURT ORDER AND DIRECTED THE JMFC TO ORDER A POLICE INVESTIGATION UNDER SECTION 156(3)

In *Anusha Deepak Tyagi v. State of Madhya Pradesh*, the Supreme Court dealt with the appellant's challenge to the Madhya Pradesh High Court's refusal to quash an order that declined to direct police to investigate her sexual harassment complaint. Anusha Deepak Tyagi, a yoga instructor at Lakshmibai National Institute of Physical Education, alleged that the then Vice-Chancellor touched her inappropriately in March 2019 and subsequently behaved in ways constituting sexual harassment at the workplace. Despite multiple complaints to the police in October 2019 and February 2020, no FIR was registered, prompting her to seek a magistrate's order under Section 156(3), CrPC, to compel investigation. The JMFC, and later the High Court, held that the magistrate had discretion under Section 156(3) CrPC to either direct investigation or proceed by examining witnesses under Sections 200/202 CrPC, and chose the latter instead of directing an investigation. The Supreme Court held that while discretion exists, it must be exercised judiciously, especially where a cognizable offence is prima facie made out and crucial evidence (like CCTV DVRs allegedly in the accused's control) is inaccessible to the complainant. The Court set aside the High Court order and directed the JMFC to order a police investigation under Section 156(3), to be supervised by a senior woman officer, underscoring the mandatory duty of police to register FIRs in cognizable offences and the need to treat complainants sensitively in sexual harassment cases.

E. THE COURT EMPHASIZED THAT DISCRETION UNDER SECTION 156(3) MUST BE EXERCISED WITH REASONED JUDICIAL LOGIC AND THAT VICTIMS OF SEXUAL HARASSMENT OR VIOLENCE SHOULD NOT BE FURTHER BURDENED BY PROCEDURAL COMPLEXITIES

In March 2019, the petitioner, a yoga instructor at an institute in Gwalior, alleged that the institute's Vice-Chancellor had touched her inappropriately. She first complained to the local police; when no meaningful action was taken, she lodged repeated complaints to senior police officers. With no investigation initiated, the petitioner approached the Judicial Magistrate under Section 156(3) of the Code of Criminal Procedure (CrPC), seeking an order for the police to investigate the cognizable offence. The Magistrate directed the police to act. The High Court of Madhya Pradesh dismissed her Section 482 CrPC petition challenging the Magistrate's order, holding that the Magistrate's power to direct investigation was discretionary and not obligatory. The Supreme Court, in a judgment by Justices Dhananjaya Y. Chandrachud and J.B. Pardiwala, reversed the High Court. It reaffirmed that when a complaint discloses a cognizable offence on its face, the police must register an FIR

and investigate, and a Magistrate should ordinarily direct such investigation under Section 156(3) CrPC rather than allow procedural delays. The Court emphasized that discretion under Section 156(3) must be exercised with reasoned judicial logic and that victims of sexual harassment or violence should not be further burdened by procedural complexities.

VII. POWER TO ORDER AN FIR IS A CHECK AGAINST POLICE INACTION, BUT IT MUST BE EXERCISED WITH CAUTION TO PROTECT THE RIGHTS OF THE ACCUSED AGAINST VEXATIOUS LITIGATION

The case of *Kailash Vijayvargiya vs. Rajlakshmi Chaudhuri*, decided by the Supreme Court of India on May 4, 2023, centres on the procedural requirements for a Magistrate when dealing with an application under Section 156(3) of the Code of Criminal Procedure (CrPC). The respondent, Rajlakshmi Chaudhuri, alleged that she was sexually assaulted by the appellants in 2018 and moved the court after the police reportedly refused to register her FIR. The Chief Judicial Magistrate (CJM) initially rejected her application, citing a significant delay in reporting and a lack of prima facie credibility in the allegations. This dismissal was subsequently challenged and set aside by the Calcutta High Court, which ruled that a Magistrate's role at the pre-cognizance stage is limited to verifying if a cognizable offense is disclosed, rather than adjudicating the truthfulness of the claims.

The Supreme Court upheld the High Court's decision to set aside the CJM's order but refined the legal standards for such interventions. The Court held that while a Magistrate must apply *judicial mind* to ensure the process of law is not misused for personal vendettas, they cannot conduct a *mini-trial* or a roving inquiry into the veracity of the allegations at the Section 156(3) stage. The bench emphasized that if a complaint discloses a cognizable offense, the Magistrate is generally bound to direct an investigation. However, the Court also balanced this by noting that in sensitive cases, the Magistrate may exercise discretion to treat the application as a private complaint under Section 200, thereby requiring the complainant to provide preliminary evidence. Ultimately, the judgment reinforced that the power to order an FIR is a check against police inaction, but it must be exercised with caution to protect the rights of the accused against vexatious litigation.

A. THE JUDGMENT REINFORCED THAT HIGH COURTS SHOULD EXERCISE RESTRAINT UNDER SECTION 482 CRPC AND SHOULD NOT STIFLE LEGITIMATE INVESTIGATIONS AT A NASCENT STAGE, ESPECIALLY WHEN ALLEGATIONS INVOLVE THE FRAUDULENT MANIPULATION OF LEGAL DOCUMENTS

In the judgment of *Sadiq B. Hanchinmani vs The State of Karnataka*, the Supreme Court of India adjudicated a dispute centred on the alleged creation of forged documents to circumvent judicial orders. The appellant, claiming ownership of property via an oral gift, asserted that while a status quo order was active, the respondents trespassed and produced a

Rent Agreement to justify their possession. Crucially, the appellant demonstrated that the E-Stamp paper used for this agreement bore a serial number belonging to a completely different transaction between unrelated parties, indicating the document was forged and backdated. Although the Judicial Magistrate directed an investigation under Section 156(3) CrPC, the Karnataka High Court quashed the FIR, primarily on the technical ground that the Magistrate used the phrase *further investigation* instead of *investigation*, and labelled the dispute as purely civil.

The Supreme Court set aside the High Court's decision and restored the criminal proceedings, upholding the principle that technical semantics should not defeat the ends of justice. The Court ruled that the Magistrate's intent was clearly to initiate a pre-cognizance investigation into a cognizable offense, and the High Court erred by over-focusing on clerical terminology. Furthermore, the Bench upheld that when prima facie evidence of forgery exists—such as the mismatched E-Stamp records—the criminal law must take its course regardless of whether a parallel civil suit is pending. The judgment reinforced that High Courts should exercise restraint under Section 482 CrPC and should not stifle legitimate investigations at a nascent stage, especially when allegations involve the fraudulent manipulation of legal documents.

B. SUPREME COURT HELD THE HIGH COURT'S DIRECTION TO REGISTER FIR WAS UNSUSTAINABLE AND CONTRARY TO LAW, UPHOLDING THE MAGISTRATE'S EXERCISE OF DISCRETION IN DISMISSING THE APPLICATION AND SETTING ASIDE THE HIGH COURT ORDER

In *Priti Agarwalla & Ors. v. State of GNCT of Delhi & Ors.*, the Supreme Court dealt with appeals arising from complaints and applications made under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (SC/ST Act) and under Section 156(3) CrPC. The case grew out of multiple complaints and counter-complaints between trainees at the Olympic Riding and Equestrian Academy (OREA), New Delhi, and its administrator. Respondent No. 2, a trainee from a Scheduled Caste, alleged caste-based insults and ill-treatment by the appellants and lodged a complaint under the SC/ST Act on 29 April 2018; when the police did not act, he filed an application under Section 156(3) CrPC seeking FIR registration and investigation. The Metropolitan Magistrate initially referred the complaint for inquiry and later dismissed the Section 156(3) application, finding no offence made out. The Delhi High Court had directed FIR registration and further proceedings.

The Supreme Court examined the statutory scheme of the SC/ST Act, especially the proviso to Section 4(2) requiring an administrative enquiry recommendation before taking cognizance of offences by public servants. It held the High Court's direction to register FIR was unsustainable and contrary to law, upholding the Magistrate's exercise of discretion in dismissing the application and setting aside the High Court order.

C. THE SUPREME COURT UPHELD THE TRIAL COURT'S ORDER AND SET ASIDE THE HIGH COURT'S JUDGMENT, CLARIFYING THAT A MAGISTRATE DOES NOT TAKE COGNIZANCE OF AN OFFENSE WHEN DIRECTING AN INVESTIGATION UNDER SECTION 156(3)

In *M/s SAS Infratech Pvt. Ltd. v. State of Telangana & Anr.*, the Supreme Court addressed the procedural boundaries of a Magistrate's power under Section 156(3) of the Code of Criminal Procedure (CrPC). The case originated when the appellant filed a private complaint before a Trial Court, alleging criminal offenses. After reviewing the complaint and supporting documents, the Magistrate found a prima facie case and issued a "docket order" directing the police to register an FIR and investigate. However, the High Court of Telangana subsequently quashed this order under Section 482, reasoning that the Magistrate had failed to provide detailed reasons and had improperly bypassed the *cognizance* procedure outlined in Section 200 of the CrPC.

The Supreme Court upheld the Trial Court's order and set aside the High Court's judgment, clarifying that a Magistrate does not take *cognizance* of an offense when directing an investigation under Section 156(3). Drawing on the precedent set in *Devarapalli Lakshminarayana Reddy*, the Court ruled that *cognizance* only commences when a Magistrate chooses to proceed under Chapter XV (Section 200 onwards). The Bench held that the Magistrate's decision to refer the matter for police investigation at the pre-cognizance stage was a valid exercise of judicial discretion intended to facilitate efficient investigation. Ultimately, the Court concluded that the High Court had overstepped its inherent powers by interfering with a legally sound order that did not necessitate a detailed, reasoned judgment at such a preliminary stage.

D. THE HIGH COURT ORDER WAS SET ASIDE, AND THE APPEAL WAS ALLOWED, UNDERSCORING PROPER JUDICIAL APPLICATION BEFORE DIRECTING POLICE INVESTIGATION UNDER SECTION 156(3)

In *Om Prakash Ambadkar vs The State of Maharashtra*, the Supreme Court of India dealt with a criminal appeal against a Bombay High Court order that upheld a Judicial Magistrate's direction under Section 156(3) Cr.P.C. to police to register an FIR against the appellant, a police officer, for alleged offences under Sections 323, 294, 500, 504 & 506 IPC. The original complainant, an advocate, alleged that the appellant police officer humiliated, abused and threatened him, and that the police station refused to accept his complaint, prompting a magistrate to order investigation.

The Supreme Court held that before issuing a direction under Section 156(3), a Magistrate must apply mind to see whether the complaint discloses prima facie cognizable offences. In this case, it found that even if the allegations were accepted, the essential ingredients of the offences, particularly under Section 294 IPC (obscene acts/words), Sections 504/506 IPC (insult/criminal intimidation), were not made out. The Court noted that the magistrate mechanically ordered FIR registration without this scrutiny. Accordingly, the High Court order was set aside, and the appeal was allowed, underscoring

proper judicial application before directing police investigation under Section 156(3).

E. VLS AND ITS OFFICERS SOUGHT QUASHING OF THESE ORDERS AND PROCEEDINGS, CONTENDING PROCEDURAL IRREGULARITIES INCLUDING FAILURE TO FIRST APPROACH POLICE UNDER SECTION 154(3) CRPC AND ASSERTING THE DISPUTE WAS CIVIL IN NATURE. THE HIGH COURT DISMISSED THEIR PETITIONS, AND THE SUPREME COURT UPHELD THAT DISMISSAL

In *Anurag Bhatnagar & Anr. v. State (NCT of Delhi)*, the Supreme Court considered multiple Special Leave Petitions challenging the Delhi High Court's refusal to quash two First Information Reports registered under Sections 420, 120-B and 34 of the IPC. The disputes arose from a commercial deal between Sunair Hotels Limited (SHL) and VLS Finance Ltd., where VLS had agreed to invest and manage a public share issue that proved legally unfeasible. SHL alleged fraud and non-performance, leading to the registration of FIR No. 380/2005 on an application under Section 156(3) CrPC by a Magistrate, and prior FIR No. 326/2004 on similar grounds. VLS and its officers sought quashing of these orders and proceedings, contending procedural irregularities including failure to first approach police under Section 154(3) CrPC and asserting the dispute was civil in nature. The High Court dismissed their petitions, and the Supreme Court upheld that dismissal. The Court held a Magistrate may direct FIR registration under Section 156(3) even without prior action under Section 154, and that once investigations are complete with charge-sheets filed, inherent jurisdiction to quash is sparingly exercised. The judgment reaffirmed that identifiable elements of criminality at the FIR stage justify continuation of proceedings.

VIII. CONCLUSION

The study of the Supreme Court's outlook on ordering investigations under Section 156(3) of the Criminal Procedure Code highlights the delicate balance the judiciary maintains between ensuring justice and respecting the autonomy of investigative agencies. Section 156(3) empowers the police to investigate cognizable offenses on the basis of a complaint or information, but the provision also allows judicial oversight to ensure that such investigations are conducted fairly, diligently, and without undue delay. The Supreme Court's approach underscores that this oversight is not meant to interfere with the operational discretion of the police but to ensure that the rights of individuals are protected and that justice is not denied due to inaction or bias.

A key takeaway from this research is the principle of judicial restraint. The Supreme Court's outlook reflects an understanding that intervention under Section 156(3) should be exercised cautiously, reserved for instances where there is a genuine need to correct inaction or to uphold fundamental rights. Judicial oversight serves as a mechanism to maintain accountability and transparency in the investigative process,

preventing misuse of authority while ensuring that citizens have access to effective remedies. At the same time, courts are careful not to overstep their role, avoiding micromanagement of investigations and respecting the professional expertise of law enforcement agencies.

Another significant aspect highlighted by the study is the emphasis on safeguarding constitutional values. Judicial intervention under Section 156(3) reinforces citizens' trust in the legal system by ensuring that investigations are impartial, timely, and in accordance with the law. It also underscores the judiciary's role as a guardian of the rule of law, promoting fairness and equality in the administration of justice. The Supreme Court's outlook demonstrates that judicial orders for investigations are intended to strengthen the legal system rather than circumvent established procedures or infringe upon police discretion.

In essence, the Supreme Court's approach to Section 156(3) reflects a thoughtful balance between intervention and restraint. It recognizes the importance of judicial supervision as a corrective tool while ensuring that such supervision does not compromise the independence of investigative agencies. This outlook contributes to a more accountable, transparent, and responsive criminal justice system, fostering confidence among citizens that their grievances will be addressed and that investigations will be conducted in a lawful and fair manner.

Thus, the judicial perspective on ordering investigations under Section 156(3) represents a commitment to justice that is both principled and practical. It highlights the judiciary's role in upholding accountability without undermining institutional autonomy, ensuring that the criminal justice system functions effectively while safeguarding the rights of individuals. The study concludes that the Supreme Court's careful, measured approach provides a framework for responsible judicial intervention, promoting the integrity, efficiency, and credibility of the investigative process in India.

REFERENCES

- [1] SLP(CrI) No. 1958 of 1999 (decided on 12.01.2000 by Supreme Court of India)
- [2] Suresh Chand Jain vs State Of Madhya Pradesh & Another, AIR 2001 SUPREME COURT 571, 2001 AIR SCW 189, 2002 CRILR(SC&MP) 221, 2001 (2) SRJ 100, 2001 (1) UJ (SC) 420, (2002) 1 TAC 794, (2001) 1 CGLJ 451, (2001) 57 DRJ 567, (2001) 3 ACJ 2033, (2001) 89 DLT 504, 2001 (3) COM LJ 78 SC, 2001 (2)
- [3] SCC 628, 2001 (1) SCALE 93, 2001 CALCRILR 186, 2001 ALL MR(CRI) 775, 2001 SCC(CRI) 377, (2001) 2 JT 81 (SC), 2002 CRILR(SC MAH GUJ) 221, (2001) ILR (KANT) (1) 2341, (2001) 1 ALLCRIR 586, (2001) 1 ALLCRILR 389, 2001 CHANDLR(CIV&CRI) 186, (2001) SC CR R 635, (2001) 1 CAL LJ 595, (2002) 4 ALLCRILR 354, (2001) 3 RECCRIR 455, (2001) 1 CHANDCRIC 83, (2001) 1 EASTCRIC 206, (2001) 1 GUJ LH 594, (2001) 1 JAB LJ 395, (2001) 1 KER LT 623, (2001) 1 ORISSA LR 470, (2001) 2 RAJ LW 317, (2001) 1 RECCRIR 335, (2001) 1 SCJ 605, (2001) 1 CURCRIR 54, (2001) 1 SUPREME 129, (2001) 1 SCALE 93, (2001) 1 UC 202, (2001) 42 ALLCRIC 459,

- (2001) 2 BLJ 167, (2001) 1 CRIMES 171, 2001 (1) ANDHLT(CRI) 284 SC
- [4] AIR 2006 SUPREME COURT 705, 2006 SCC(CRI) 460
- [5] AIR 2008 SUPREME COURT 907, 2008 AIR SCW 309, 2008 (1) ALL LJ 752, (2008) 62 ALLINDCAS 236 (SC), 2008 (62) ALLINDCAS 236, 2008 CRILR(SC MAH GUJ) 62, 2008 CRILR(SC&MP) 62, (2008) 2 MH LJ (CRI) 300, (2008) 1 CRILR(RAJ) 62, ILR(KER) 2008 (1) SC 813, (2008) 1 JCC 113 (SC), 2008 (1) CALCRILR 399, 2007 (13) SCALE 693, 2008 (2) SCC 409, 2008 (1) SCC(CRI) 440, 2008 (1) JCC 113, 2008 ALL MR(CRI) 67 NOC, (2007) 13 SCALE 693, (2007) 8 SUPREME 226, (2007) 4 CRIMES 338, (2008) 106 CUT LT 354, (2008) 1 KER LT 724, (2008) 1 MAD LJ(CRI) 1393, (2008) 1 ORISSA LR 105, (2008) 39 OCR 287, (2008) 1 RAJ LW 136, (2008) 1 RECCRIR 392, (2008) 1 CURCRIR 70, (2008) 1 MPHT 429, (2008) 1 DLT(CRL) 258, (2008) 1 CHANDCRIC 42, (2008) 1 ALLCRILR 478, (2008) 60 ALLCRIC 689, (2008) 2 MADLW(CRI) 902, (2008) 2 GUJ LH 269, (2008) 2 GUJ LR 1666
- [6] AIRONLINE 2007 SC 332
- [7] 2010 AIR SCW 5315, 2010 (8) SCC206, AIR 2011 SC (CRIMINAL) 1174, (2011) 3 CRIMES 53, 2010 CALCRILR 3 511, (2010) 2 MADLW(CRI) 1030, (2010) 7 SCALE 665, (2010) 2 UC 1359, (2010) 2 CRILR(RAJ) 836, (2010) 4 KCCR 128, (2010) 3 SIM LC 384, (2010) 3 CRIMES 304, (2011) 2 ALLCRIR 1321, (2010) 93 ALLINDCAS 17 (SC), 2010 (3) SCC(CRI)652, 2010 ALL MR (CRI)2982, 2010 (4) CRIMES304, (2010) 4 CRIMES 56, 2010 (93) ALLINDCAS 17, 2010 CRILR(SC MAH GUJ) 836, (2010) 47 OCR 252, (2010) 3 RECCRIR 887, (2010) 3 CURCRIR 451, (2010) 70 ALLCRIC 895, (2010) 3 CHANDCRIC 247, (2010) 1 KER LT 498, 2010 CRILR(SC&MP) 836, (2010) 2 ALLCRILR 529
- [8] Rameshbhai Pandurao Hedau vs State Of Gujarat, AIR 2010 SUPREME COURT 1877, 2010 (4) SCC 185, 2010 AIR SCW 2353, (2010) 88 ALLINDCAS 8 (SC), (2010) 2 RECCRIR 375, (2010) 2 GUJ LR 1826, (2010) 46 OCR 100, (2010) 1 CRILR(RAJ) 318, (2010) 2 ALLCRILR 49, (2010) 2 CHANDCRIC 121, (2010) 69 ALLCRIC 352, 2010 CALCRILR 2 13, (2010) 2 CURCRIR 5, (2010) 2 GUJ LH 243, (2010) 1 UC 656, 2010 (2) SCC(CRI) 801, (2010) 2 MAD LJ(CRI) 489, 2010 (3) SCALE 166, 2010 CRILR(SC MAH GUJ) 318, 2010 CRILR(SC&MP) 318, (2010) 3 SCALE 166, (2010) 2 ALD(CRL) 520
- [9] (Civil Appeal Nos. 766-767 of 2010) (Decided on 12.04.2010 by Supreme Court of India)
- [10] 2013 AIR SCW 245, 2013 (6) SCC 384, 2013 CRI. L. J. 776, AIR 2013 SC (CRIMINAL) 315, 2013 (2) ALL LJ 232, 2013 (2) CALCRILR 39, 2012 (12) SCALE 619, (2013) 123 ALLINDCAS 199 (SC), 2013 (123) ALLINDCAS 199, (2014) 1 MH LJ (CRI) 494, 2013 CALCRILR 2 39, (2013) 1 CURCRIR 205, (2012) 12 SCALE 619, (2013) 1 GUJ LH 237, (2013) 1 KER LT 549, (2013) 1 MAD LJ(CRI) 176, (2013) 54 OCR 649, (2013) 1 RECCRIR 686, (2013) 1 DLT(CRL) 759, (2013) 1 ALLCRILR 869, 2013 (1) ALD(CRL) 486
- [11] Criminal Appeals Nos.1590-91 of 2013 (decided on 01.10.2013 by Supreme Court of India)
- [12] Madhao & Anr vs State Of Maharashtra & Anr, AIRONLINE 2013 SC 371, AIRONLINE 2013 SC 404
- [13] AIR 2014 SUPREME COURT 187, 2013 AIR SCW 6386, AIR 2014 SC (CRIMINAL) 66, 2014 CRILR(SC MAH GUJ) 236, (2014) 134 ALLINDCAS 155 (SC), (2013) 4 KER LJ 686, (2014) 1 CRILR(RAJ) 236, 2014 CALCRILR 1 687, (2014) 2 MH LJ (CRI) 16, (2014) 2 KCCR 1305, 2014 (134) ALLINDCAS 155, 2013 (13) SCALE 559, (2014) 84 ALLCRIC 719, 2014 (1) SCC (CRI) 524, (2014) 2 CAL HN 7, 2014 CRILR(SC&MP) 236, (2014) 2 MAD LW 5, 2013 ALLMR(CRI) 4444, 2014 (2) SCC 1, (2014) 57 OCR 1, (2014) 1 ORISSA LR 5, (2013) 3 UC 2017, (2013) 4 BOMCR(CRI) 680, (2013) 13 SCALE 559, (2013) 4 CRIMES 243, (2013) 4 CRIMES 488, (2014) 2 GAU LT 1, (2013) 4 KER LT 632, (2014) 1 MADLW(CRI) 1, (2013) 5 MAD LJ(CRI) 579, (2013) 4 RECCRIR 979, (2013) 4 CURCRIR 369, (2013) 5 MPHT 336, (2013) 4 DLT(CRL) 910, (2014) 1 ALLCRILR 1, 2014 (1) ALD(CRL) 159
- [14] 2015 AIR SCW 2075, 2015 (6) SCC 287, AIR 2015 SC(CRI) 800, (2015) 2 CURCRIR 168, (2015) 3 RAJ LW 2405, (2016) 1 MADLW(CRI) 106, (2015) 3 ALLCRILR 183, 2018 CRILR(SC&MP) 663, (2015) 61 OCR 719, (2016) 1 MAD LW 354, (2015) 2 RECCRIR 1034, (2015) 3 MPHT 19, (2015) 3 DLT(CRL) 344, (2015) 2 CRIMES 179, (2015) 2 CRIMES 209, (2015) 2 KER LJ 491, (2015) 3 PAT LJR 78, (2015) 2 KER LT 451, (2015) 4 SCALE 120, (2015) 2 JLJR 496, 2015 (3) KCCR SN 245 (SC), AIR 2015 SUPREME COURT 1758
- [15] Ramdev Food Products Private Limited vs State Of Gujarat, AIR 2015 SUPREME COURT 1742, 2015 (6) SCC 439, 2015 AIR SCW 2058, AIR 2015 SC (CRIMINAL) 785, (2015) 2 CRILR(RAJ) 425, 2015 CRILR(SC MAH GUJ) 425, (2015) 3 SCALE 622, 2015 CRILR(SC&MP) 425, (2015) 2 ALLCRILR 736, (2015) 3 GUJ LR 2231, (2015) 61 OCR 1, (2015) 3 CRIMES 354, 2015 CALCRILR 3 144, (2015) 2 MADLW(CRI) 209, (2015) 150 ALLINDCAS 175 (SC), (2015) 3 DLT(CRL) 72, (2016) 1 MH LJ (CRI) 98, (2015) 2 JLJR 453, (2015) 2 CURCRIR 31, (2015) 2 BOMCR(CRI) 312, 2015 (3) SCC (CRI) 192, 2015 (2) KLT SN 65 (SC)
- [16] AIRONLINE 2018 SC 1002
- [17] Vinubhai Haribhai Malaviya vs The State Of Gujarat, AIR 2019 SUPREME COURT 5233, AIRONLINE 2019 SC 1199, 2020 CRI LJ 472, (2019) 14 SCALE 1, (2019) 263 DLT 305, (2019) 3 UC 1710, (2019) 4 ALLCRILR 610, (2019) 4 CRIMES 267, (2019) 4 KER LJ 429, (2019) 4 PAT LJR 336, (2019) 76 OCR 644, 2019 CRILR(SC MAH GUJ) 1279, (2020) 1 RECCRIR 1, AIR 2020 SC(CRI) 289
- [18] M. Subramaniam vs S. Janaki, AIRONLINE 2020 SC 387
- [19] AIR 2021 SUPREME COURT 1241, AIRONLINE 2021 SC 99
- [20] CRIMINAL APPEAL NO. 463 OF 2022 (arising out of S.L.P (Crl.) No. 10951 OF 2019) (decided on 22.03.2022 by Supreme Court of India)
- [21] Criminal Appeal No 1184 of 2022 (Arising out of SLP(Crl) No 1674 of 2022) (decided on 05.08.2022 by Supreme Court of India)

- [22] XYZ v. State of Madhya Pradesh, Criminal Appeal No 1184 of 2022 (Arising out of SLP(Crl) No 1674 of 2022), LiveLaw(SC)676, (decided on 05.08.2022 by Supreme Court of India)
- [23] CRIMINAL APPEAL NO. 1581, 1582 and 1583 OF 2021 (decided on 04.05.2023 by Supreme Court of India)
- [24] 2025 INSC 1282, [@ SPECIAL LEAVE PETITION (CRIMINAL) NO.11336 OF 2022] (Decided on 04.11.2025 by Supreme Court of India)
- [25] 2024 INSC 437, CRIMINAL APPEAL NO (S). 348 OF 2021 (decided on 17.05.2024 by Supreme Court of India)
- [26] CRIMINAL APPEAL NO.2574/2024 (@Special Leave Petition (Crl.) No. 2123/2024) (decided on 14.05.2024 by Supreme Court of India)
- [27] 2025 INSC 139, Criminal Appeal No. 352/2020 (decided on 16.01.2025 by Supreme Court of India)
- [28] 2025 INSC 895, SPECIAL LEAVE PETITION (CRIMINAL) NO.18084 OF 2024 (decided on 25.07.2025 by Supreme Court of India)

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