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## SUPREME COURT ISSUES DIRECTIONS IN RELATION TO DISPOSAL OF BAIL AND ANTICIPATORY BAIL

### Introduction:

In the case of **Anna Waman Bhalerao v. State of Maharashtra**,<sup>1</sup> the Supreme Court vide judgment dated 12th September 2025 held that while considering applications for bail and anticipatory bail the court must balance the liberty of the individual against the legitimate requirements of the investigation. The Supreme Court ruled that even in cases based on documentary evidence, custodial interrogation may be essential to trace the chain of transactions, ascertain complicity and prevent further suppression or tampering of records. The Supreme Court also noted the inordinate delay in disposal of the Applications for Anticipatory Bail in the present case and therefore proceeded to issue directions to ensure that the liberty of citizens is not left in abeyance.

### Facts:

Based on a complaint lodged by one Vikas Narsingh Vartak (“**Complainant**”), FIR No. 30/2019 was registered on 26.01.2019 at Arnala Sagari Police Station, District Palghar, Maharashtra for offences punishable under Sections 420, 463, 464, 465, 467, 468, 471 and 474 read with Section 34 of the Indian Penal Code, 1860 (“**IPC**”). The Complainant alleged that a plot of land was jointly owned by his father, Narsingh Govind Vartak and his brothers - Hari Govind Vartak, Mahadev Govind Vartak, Parshuram Govind Vartak, Raghunandan Govind Vartak, Harihar Govind Vartak along with Purushottam Manohardas Shah Amrutlal Manohardas Shah, and Kantilal Manohardas Shah, and their names stood recorded in the revenue records. It was further alleged that a Power of Attorney was purportedly executed in favour of one Vijay Anant Patil (“**Accused No. 2**”) by the Complainant’s father and his brothers and another Power of Attorney was executed in favour of Rajesh Kamat (“**Accused No. 3**”) by the

Shahs. Based on the aforementioned Powers of Attorney on 18.05.1996, a sale deed was executed by Accused No. 2 and Accused No. 3 in favour of one Mahesh Yashwant Bhoir (“**Accused No. 1**”) and mutation entries were recorded in 1996 based on the sale deed. At the relevant point of time, the present Appellants were serving as Circle Officer and Talathi (“**Appellants**”) in the Revenue Department of the State of Maharashtra.

The Appellants were not initially named in the FIR, they were later arraigned as Accused Nos. 5 and 6 on allegations that in their official capacity, they certified the mutation entries based on the forged documents thereby, facilitating the illegal transfer of ownership of immovable property. Apprehending arrest, they filed Anticipatory Bail Applications before the Additional Sessions Judge who granted them interim protection. However, upon hearing both sides, the sessions judge rejected their Applications. Aggrieved by the order of the Sessions Court, they filed Anticipatory Bail Applications before the High Court and interim protection was granted to them from time to time. Finally, the High Court rejected their Applications for Anticipatory Bail, but granted interim protection for a period of four weeks, which led the Appellants to approach the Supreme Court.

The principal contention advanced by the Appellants was that the prosecution was vitiated by extraordinary and unexplained delay and that the Complainant remained silent for two decades despite having knowledge of the cancellation by the Sub-Divisional Officer. By the time the FIR was lodged, the mutation entries stood annulled leaving no subsisting illegality or wrongful gain. The Appellants urged that the only role attributed to the Appellants was the certification of mutation entries in their official capacity based on documents that appeared facially valid and that they were not involved in the creation of the allegedly forged Powers of Attorney and sale deed nor did they derive any personal benefit or act in collusion with the co-accused. The Appellants retired with unblemished records and there were no criminal antecedents against them. The Supreme Court also noted

[1] Criminal Appeal No. 4004 of 2025, Criminal Appeal No. 4005 of 2025

the submission of the State that the Appellants instead of adhering to their statutory obligations, under Section 15(2) of the Maharashtra Land Revenue Code, certified the mutation entries thereby facilitating the transfer of immovable property. It was further alleged that despite enjoying interim protection since 2019, the Appellants failed to cooperate with the investigation and prolonged the proceedings.

## **Issues:**

Whether the High Court erred in rejecting Anticipatory Bail application of the Appellants?

## **Held:**

The Supreme Court held that the High Court rightly noted that the alleged powers of attorney were executed in 1996 long after the death of the original owners and the sale deed was executed on the strength of such documents is *prima facie* vitiated with Accused No. 1 appearing to be the direct beneficiary of the transaction. The Supreme Court noted that the High Court observed that the Appellants, while serving in the Revenue Department, ignored their statutory duties and facilitated the mutation in favour of Accused No. 1, and hence, their conduct cannot be brushed aside as a mere procedural lapse. The Supreme Court stated that they were conscious of the fact that whether the Appellants shared any criminal intent or abetted the acts of Accused No. 1 is a matter for trial and any conclusive findings at this stage would be inappropriate. It was held that while considering anticipatory bail the Supreme Court must balance the liberty of individual against the legitimate requirements of investigation. The Supreme Court ruled that the plea that the mutation entries were cancelled in 1998 did not efface the Appellant's alleged role in certifying those entries in the first place – which is a matter that must be adjudicated at trial.

The Supreme Court held that although there was a long delay in the initiation of proceedings, the gravity of the

allegations, the alleged abuse of official position, and the *prima facie* findings of the High Court that custodial interrogation is necessary, cannot be diluted merely on the ground of delay. It was further held that in a case based largely on documentary evidence, custodial interrogation may be essential to trace the chain of transactions, ascertain complicity, and prevent further suppression or tampering of records. The Supreme Court observed that the Appellants did not extend due co-operation to the investigation despite enjoying interim protection for nearly six years.

Therefore, the Supreme Court ruled that both appeals failed and the orders of the High Court, rejecting the Anticipatory Bail Applications is affirmed. The Supreme Court clarified that the Appellants would be at liberty to apply for regular bail before the competent court and such application, if made, would be considered on its own merits, uninfluenced by the observations made by the High Court and the Supreme Court in the appeals.

The Supreme Court noted that apart from the relief of anticipatory bail, the inordinate delay in the disposal of the Appellants' Applications for Anticipatory Bail was a significant issue that arose for consideration. The Supreme Court further noted that the record disclosed that the Applications remained pending for several years without any final adjudication, although interim protection was extended to the Appellants from time to time, including even after the dismissal of the Applications, until 01.08.2025. The Supreme Court observed that while the Appellants themselves did not suffer prejudice, having continued to enjoy interim protection, the Supreme Court had consistently underscored, in a long line of decisions, that applications affecting personal liberty – particularly bail and anticipatory bail – ought not to be kept pending indefinitely.

It was held that the grant or refusal of bail, anticipatory or otherwise, is ordinarily a straightforward exercise, turning on the facts of each case and that there is, therefore, no justification for deferring decision-making

and allowing a sword of Damocles to hang over the applicant's head. The Supreme Court held that in matters concerning liberty, bail courts must be sensitive and ensure that constitutional ethos is upheld and while docket explosion remains a chronic challenge, cases involving personal liberty deserve precedence.

The Supreme Court reviewed several case laws and observed that certain key principles emerge from the same. The Supreme Court ruled that applications concerning personal liberty cannot be kept pending for years while the applicants remain under a cloud of uncertainty and that the consistent line of authority of the Supreme Court makes it abundantly clear that bail and anticipatory applications must be decided expeditiously on their own merits, without relegating the parties to a state of indefinite pendency. It was held that prolonged delay in disposal not only frustrates the object of Code of Criminal Procedure, but also amounts to a denial of justice, contrary to the constitutional ethos reflected in Articles 14 and 21. In this view of the matter, the Supreme Court issued the following directions:

- a. High Courts shall ensure that applications for bail and anticipatory bail pending before them or before the subordinate courts under their jurisdiction are disposed of expeditiously, preferably within a period of two months from the date of filing, except in cases where delay is attributable to the parties themselves.
- b. High Courts shall issue necessary administrative directions to subordinate courts to prioritise matters involving personal liberty and to avoid indefinite adjournments.
- c. Investigating agencies are expected to conclude investigations in long pending cases with promptitude so that neither the complainant nor the accused suffers prejudice on account of undue delay.
- d. Being the highest constitutional fora in the States, High Courts must devise suitable mechanisms and

procedures to avoid accumulation of pending bail / anticipatory bail applications and ensure that the liberty of citizens is not left in abeyance. In particular, bail and anticipatory bail applications shall not be kept pending for long durations without passing orders either way, as such pendency directly impinges upon the fundamental right to liberty.

The Supreme Court directed the Registrar (Judicial) of the Supreme Court to circulate a copy of this judgment to all the High Courts for immediate compliance and prompt administrative action.

## **NOTICE UNDER SECTION 138 INVALID AND BAD IN LAW IF IT DOES NOT SPECIFY THE CORRECT AMOUNT**

### **Introduction:**

The Supreme Court in the case of **Kaveri Plastics v. Mahdoom Bawa Bahrudeen Noorul**<sup>2</sup> has vide judgment dated 19th September 2025 ruled that a notice under Section 138 of the Negotiable Instruments Act, 1881 (“**NI Act**”) must mention the exact amount as stated on the dishonoured cheque and failure to do so would invalidate the notice. The Supreme Court further held that since the provision is penal in nature, it would have to be strictly construed and typographical errors in relation to the cheque amount is not a defence and would be fatal to the legality of the notice.

### **Facts:**

The Appellant entered into Memorandum of Understanding (“**MOU**”) with Accused No. 1, M/s. Nafto Gaz India Private Limited (“**Accused No. 1**”) relating to sale of land. It was alleged that cheque bearing number 876229 dated 12.05.2012 drawn on the Indian Overseas Bank, R.K. Puram, Delhi for Rs. 1,00,00,000/- (“**said Cheque**”) was issued by the Accused No.1 in favour of the Appellant, which returned dishonoured on the ground ‘funds insufficient’. Thus, the Appellant issued a demand notice dated 08.06.2012 stating that the

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[2] Special Leave Petition (Crl.) Nos. 11184-11185/2024

said Cheque was issued by the noticees to the Appellant pursuant to the MOU and called upon them to make payment “of the aforesaid cheques of 2,00,00,000/- (Rupees Two Crores)” within the stipulated period of 15 days from the receipt of the notice failing which legal proceedings would be initiated against them. Another notice dated 14.09.2012 was issued to Accused No. 1 calling upon the Accused No. 1 to pay “the aforesaid cheque of ₹2,00,00,000/- (Rupees Two Crores)” within 15 days from the date of receipt of the legal notice failing which proceedings would be initiated.

The Supreme Court noted that said Cheque was issued for Rs. 1,00,00,000/- whereas in both the aforesaid notices sent to the Accused, the Appellant asked for the payment of Rs. 2,00,00,000/-. The Appellant filed a complaint against the Respondent (arraigned as Accused No. 3) (“Respondent”). The Respondent filed an application seeking discharge contending that the demand notice was not in terms of Proviso (b) to Section 138 of the NI Act, and therefore, the complaint was not maintainable. The plea for discharge was dismissed by the Metropolitan Magistrate. Aggrieved by this order, the Respondent filed a petition before the High Court and the High Court ruled that, as the demand notice under Proviso (b) of Section 138 of the NI Act was at variance with the cheque amount, the same was invalid rendering the complaint liable to be quashed (“Impugned Order”). The Appellant appealed against the Impugned Order before the Supreme Court.

## Issue:

When the amount mentioned and demanded in the notice sent under Proviso (b) to Section 138 of the NI Act, to the payee or the holder in due course of the cheque, is different from the amount for which the cheque was issued:

- a) Whether the notice would stand valid in eye of law?
- b) Whether a defence that the error was typographical could be a ground which could be countenanced in law?

## Held:

The Supreme Court perused the provision of Section 138 of the NI Act which reads as follows:

**“138. Dishonour of cheque for insufficiency, etc., of funds in the account.**—Where any cheque drawn by a person on an account maintained by him with a banker for payment of any amount of money to another person from out of that account for the discharge, in whole or in part, of any debt or other liability, is returned by the bank unpaid, either because of the amount of money standing to the credit of that account is insufficient to honour the cheque or that it exceeds the amount arranged to be paid from that account by an agreement made with that bank, such person shall be deemed to have committed an offence and shall, without prejudice to any other provision of this Act, be punished with imprisonment for a term which may extend to two years, or with fine which may extend to twice the amount of the cheque, or with both:

*Provided that nothing contained in this section shall apply unless—*

*(a) the cheque has been presented to the bank within a period of six months from the date on which it is drawn or within the period of its validity, whichever is earlier;*

*(b) the payee or the holder in due course of the cheque, as the case may be, makes a demand for the payment of the said amount of money by giving a notice in writing, to the drawer of the cheque, within thirty days of the receipt of information by him from the bank regarding the return of the cheque as unpaid; and*

*(c) the drawer of such cheque fails to make the payment of the said amount of money to the payee or as the case may be, to the holder in due course of the cheque within fifteen days of the receipt of the said notice.*

*Explanation.*—For the purposes of this section, “debt or other liability” means a legally enforceable debt or other liability.”

The Supreme Court observed that the provision of Section 138 of the NI Act contemplates that where any cheque drawn by a person in the account maintained by him is returned dishonoured and unpaid, it amounts to a punishable offence. It was noted that the ingredients of this penal provision are *inter alia* that the cheque should have been drawn by a person on an account maintained by him with a banker, for payment of any amount of money to another person from that account and such cheque should be returned by the bank for the reason of money in the credit of the account being insufficient, etc. The Supreme Court held that in order to make out the offence under Section 138 of the NI Act complete, conditions stated in sub-clauses (a), (b) and (c) of the Proviso should stand complied with.

The Supreme Court, based on a review of precedents ruled that the interpretation of the words 'said amount' in Proviso (b) to Section 138 of the NI Act is based on the principle of statutory interpretation that a penal statute would always be construed and applied strictly. It was held that, when Proviso (b) to Section 138 stipulates the service of notice as one of the conditions for constituting the offence, and when the words 'said amount' is incorporated in the language of the provision, it is the amount which is specifically referable to the amount recoverable under the cheque in question. The Court observed that reading Section 138 of the Act in a composite manner, the word 'said amount' occurring in the Proviso (b) is connectible with and operates in conjunction with language in the parent part of the Section 'where any cheque drawn by a person .....of any amount of money'. The Court ruled that the words 'said amount' and the phrase 'any amount of money' have the same purport signifying the cheque amount and that they operate hand-in-hand for the purpose of applicability of the Section. The nexus or linkage between the two is enacted by the Legislature with a purpose of making the two to be the same and inseparable components, the former describing the offence and the latter denoting the condition to be fulfilled for constituting the offence.

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The Supreme Court further held that from the reiterative pronouncements and the principles propounded by the courts, the position of law that emerges is that the notice demanding payment of the amount covered by the dishonoured cheque is one of the main ingredients of the offence under Section 138 of the NI Act. It was held that if the main ingredient is not satisfied on account of discrepancy in the amount of cheque and one mentioned in the notice, all proceedings under Section 138 of the NI Act would fall flat as bad in law. The Supreme Court emphasised that the notice to be issued under Proviso (b) to Section 138 of the Act, must mention the same amount for which the cheque was issued and that it is mandatory that the demand in the statutory notice has to be the very amount of the cheque. The Supreme Court held that after mentioning the exact cheque amount, the sender of the service may claim in the notice amounts such as legal charges, notice charges, interest and such other additional amounts, provided the cheque amount is specified to be demanded for payment. A failure to specify the exact cheque amount in the notice as per Proviso (b), would make the notice invalid in the eye of law. The Supreme Court held that even if the cheque details are mentioned in the notice but corresponding amount of cheque is not correctly mentioned, it would not validate such notice and that the principle of reading of notice as a whole is inapplicable and irrelevant.

The Court further held that typographical errors cannot be a defence and if such errors occurred they would be fatal to the legality of the notice given the requirement for strict mandatory compliance. The Supreme Court found that in the present case, the explanation that mentioning the wrong amount in the cheque was in the nature of typographical or inadvertent error could hardly be accepted, for, the so-called mistake occurred and recurred in both the notices dated 08.06.2012 and 14.09.2012. The Supreme Court held that when the provision is penal and the offence is technical, there is no escape from holding that the 'said amount' in proviso (b) cannot be the amount other than mentioned in the cheque in question for dishonour of which the notice is received, nor the mentioning of omnibus amount in the

notice would fulfil the requirement. It held that in order to make a valid notice under the Proviso (b) to Section 138 of the NI Act, it is mandatory that 'said amount' to be mentioned therein is the very amount of cheque, and none other. In this view of the matter, the Supreme Court ruled that the defence of inadvertence put forth by the Respondent would not hold good. It was held that even if the cheque number was mentioned in the notice, since the amount was different, it created an ambiguity and differentiation about the 'said amount' therefore the notice stood invalid and bad in law and the order of quashment was proper and legal.

## **POLICE DOES NOT HAVE JURISDICTION TO REGISTER AN FIR IN RESPECT OF OFFENCES UNDER THE DRUGS AND COSMETICS ACT, 1940**

### **Introduction:**

On 23rd September 2025, the Delhi High Court, in the case of **Revacure Lifesciences LLP & Ors. v. State Govt. of NCT Delhi & Ors.**<sup>3</sup> ruled that Police does not have jurisdiction to register of an FIR for offences under Sections 13 or 27 of the Drugs and Cosmetics Act, 1940 ("**D&C Act**"), however, an FIR for offences under the Indian Penal Code, 1908 ("**IPC**") could be investigated by the Police.

### **Facts:**

Bhardwaj India Pvt. Ltd. ("**BIPL**") filed a criminal complaint against Revacure Lifesciences LLP ("**Revacure**"), its Partners and employees before the Ld. Metropolitan Magistrate, for deliberately supplying defective medicines as the vials contained broken glasses and visible foreign particles which was noticed after the delivery of the product. They sought registration of an FIR under Section 156 (3) of the Code of Criminal Procedure, 1973 ("**Cr.P.C.**") for manufacturing of products, medicines and injections which may cause serious harm to the patient. The Ld. Metropolitan Magistrate allowed BIPL's application resulting in

registration of the FIR against Revacure and its partners ("**FIR**") under Sections 274 / 275 of the IPC which pertain to adulteration of drugs and sale of adulterated drugs and Section 13 of the D&C Act dealing with offences pertaining to import of adulterated drugs.

Revacure challenged the order of the Ld. Metropolitan Magistrate before the Delhi High Court under Section 482 of the Cr.P.C. on grounds that BIPL concealed material facts. Revacure explained that since BIPL did not have a facility to manufacture drugs in India they entered into **Loan License Agreement ("**Agreement**")** with Revacure under which the manufacturing was to be done by Revacure and the product was to be sold by BIPL. For this purpose, BIPL obtained a separate license from the Licensing Authority, Food and Drugs Administration, Madhya Pradesh for manufacture of drugs on *Loan License* basis at the manufacturing unit of Revacure, in terms of Rule 76A of D&C Act. While obtaining the licenses, BIPL gave an undertaking that the product quality, strength and purity would be completely their responsibility. Revacure contended that their relationship was like that of a landlord and tenant in so much as Revacure was receiving rent in lieu of giving its manufacturing facility, staff, equipment and testing facility to BIPL. The payment terms of the Agreement provided that 50% was to be paid by BIPL in advance and the remaining 50% was payable after dispatch of the final product manufactured in Revacure's premises. It was submitted that eventually, Bhupendra Mohan Bhardwaj (Respondent No.3) realized that he did not have the requisite market to sell the manufactured product and eventually BIPL sought delivery of the final product without making the balance 50% payment. It was contended that to protect its own interest Revacure vide an email gave a final ultimatum to BIPL to take delivery of the manufactured product by making the balance payment. On receipt of the same, Mohan Bhardwaj wrote an email threatening Revacure with false implications. After unpleasant communications, BIPL agreed to take delivery of the product after making payment of the remaining 50% amount. The parties also agreed that the employees of BIPL would visit

[3] CRL.M.C. 2085/2021, CRL.M.A. 14031/2021 & CRL.M.A. 28366/2023

Revacure's premises to ensure the quality of the product before its dispatch and accordingly, two of its employees went to Revacure's manufacturing unit where they stayed for three days to ensure dispatch of the product after verification and inspection. The Petitioners claimed that with an ill intention, Mohan Bhardwaj contaminated the products and started making false allegations that defective products were supplied to him.

BIPL raised a preliminary objection that Revacure has not disclosed the correct facts and circumstances in the petition before the High Court and that the Ld. Metropolitan Magistrate considered the sub-standard quality of drugs supplied by Revacure, which was admitted by Revacure in their email communication. It was further contended that Revacure failed to place on record several documents such as Technical Agreements, General Agreements, Supply Agreements which indicate Revacure was solely responsible for manufacturing the drugs and for further sale / supply of medicines in the market.

## **Issue:**

a) Whether offences under Section 13 or 27 of the D&C Act are amenable to registration of FIR and investigations by the police and could registration of the FIR be directed under these Sections by the Ld. Metropolitan Magistrate?

b) Whether the FIR should be quashed in respect of the offences under the IPC?

## **Held:**

A) Offences registered in respect of the D&C Act:  
The High Court referred to Section 32 of the D&C Act which states:

“**32. Cognizance of offences** — (1) No prosecution under this Chapter shall be instituted except by—

(a) *an Inspector; or*

(b) *any gazetted officer of the Central Government or a State Government authorised in writing in this behalf by the Central Government or a State Government by a general or special order made in this behalf by that Government;*

(c) *or the person aggrieved;*

(d) *or a recognised consumer association whether such person is a member of that association or not.*

(2) *Save as otherwise provided in this Act, no court inferior to that of a Court of Session shall try an offence punishable under this Chapter.*

(3) *Nothing contained in this Chapter shall be deemed to prevent any person from being prosecuted under any other law for any act or omission which constitutes an offence against this Chapter.”*

The High Court also relied upon the judgment in the case of Union of India vs. Ashok Kumare Sharma, in Crl. Appl. 200/2020 and held that the FIR could not have been registered for any offence under the D&C Act which is the exclusive domain of the Drug Inspector. The High Court also observed that as per the Status Report, the Drugs Inspector, Karnataka has already initiated investigations in the allegations of adulterous / spurious drugs under the D&C Act. Therefore, the High Court quashed the FIR in respect of the offences under the D&C Act with liberty to the Drugs Inspector to proceed as per the provisions of the D&C Act.

## **B. FIR in respect of IPC Offences**

The High Court ruled that though the FIR was quashed in respect of the offences under the D&C Act, Section 32 (3) of the D&C Act explicitly provides as follows:

“*Nothing contained in this Chapter shall be deemed to prevent any person from being prosecuted under any other law for any act or omission which constitutes an offence against this Chapter..*”

It was therefore held that the FIR for IPC offences shall sustain itself and investigations therein shall be continued by the Police.

### C. Registration Of FIR for Non-Cognizable Offences:

The High Court noted that in the present case Sections 274/275 IPC which are non-cognizable have been invoked. The High Court observed that in respect of non-cognizable offences, as per Section 155 of the Cr.P.C., the police officer to whom the complaint is made shall cause the substance of information to be entered into the information book and refer the informant to the Magistrate and that no police officer can investigate a non-cognizable case without the order of a Magistrate. However, once such directions are given, the police officer has the same power of investigation as for cognizable offences. The High Court observed that in the present case, the Complaint was made to the Ld. Metropolitan Magistrate under Section 200 of the Cr.P.C. along with an application under Section 156 (3) Cr.P.C. and in effect it was the informant / complainant who had placed the complaint before the Magistrate who directed the registration of the FIR. The High Court ruled that even though the direction was given on an Application under Section 156 (3) of the Cr.P.C. in effect, the directions were under Section 155 of the Cr.P.C. and the FIR could not be challenged on this ground. The High Court referred to Section 460 of the Cr.P.C. which states that irregularities do not vitiate proceedings and held that the directions of the Magistrate under Section 156 (3) could be termed as a mere irregularity and could not be a ground to quash the FIR.

The High Court then proceeded to examine if any offence under Section 274 and 275 of the IPC was made out based on the facts of the case.

The High Court observed that Section 275 of the IPC deals with sale of adulterated drugs and that the present case was about manufacturing drugs and not for sale. The High Court noted that there was not even an iota of a word that the adulterated drugs were ever sold in the market. Therefore, the High Court ruled that the offence under Section 275 of the IPC is not disclosed from the averments in the Complaint and the same is liable to be

quashed.

The High Court noted that Section 274 of the IPC deals with adulteration of drugs and that in the present case it was not disputed that Revacure and BIPL entered into the Agreement which could be aptly described in layman's terms as a relationship of landlord and tenant whereby Revacure loaned its factory to BIPL for manufacture of their drugs and medicines for which it was not responsible in any manner. The High Court reviewed the provisions of (i) Rule 69A of the Drugs and Cosmetics Rules, 1945 which deal with Application for the grant or renewal of loan licenses for the manufacture or sale or distribution of drugs other than those specified in Schedule C1 and 11 which have to be made in Form 24A to the Licensing Authority, (ii) Rule 75A which contains provisions relating to Loan Licenses and case law in relation to the same and held that a loan licensee being a manufacturer will have to be held as the sole authority over the quality of drugs manufactured under its supervision. The High Court referred to the observations of the Joint Inspections carried out by the Drugs Inspector, CDSCO Sub Zone, Indore along with Drugs Inspector of FDA, M.P. Jabalpur, in the presence of the of the representatives of Revacure, and the sample was taken by the Drugs Inspector which confirmed that BIPL being the Loan Licensee was the manufacturer and responsible for the quality and standard of medicines produced in the factory premises of Revacure at Indore. The High Court further observed that based on the undertaking given by BIPL under Rule 75A (1), Revacure and its Partners were in no way responsible for the quality, purity and strength of the products manufactured in their manufacturing unit.

The High Court observed that no adulteration was noted till the products were dispatched from Revacure's factory and the same were noticed only after they were delivered at the premises of BIPL. The High Court noted that on receiving a complaint from BIPL, a Joint Inspection was conducted by the Drugs Inspector, CDSCO Sub Zone,

Indore along with Drugs Inspector of FDA, M.P. Jabalpur, in the presence of the representatives of the Petitioner and the entire factory premises were inspected and records/Registers were checked, the sample was taken by the Drugs Inspector and the report recorded that the drug was found to be in conformity with the prescribed standards and that there were no suspended particles / adulteration noticed in the control samples from Revacure's premises. The High Court further observed that the report of the Drug Inspector pursuant to a subsequent inspection of BIPL's premises in Karnataka declared that the sample was not of a standard quality as it did not conform to the test of particulate matter. The High Court ruled that this reflected that the product was of a standard quality till it got dispatched from Revacure's factory and particulates came in during transit or thereafter for which Revacure could not be held responsible. The High Court further found it significant to mention that the dispute between the parties was submitted to arbitration and a nil arbitration award was given where it was specifically concluded,

*“Thus, in light of the aforesaid provisions we can safely reach a conclusion that **once the possession of the product has been transferred, the Respondent was no longer in control of the drugs. Once the Respondent is no longer in possession of the product, there is a likelihood and substance in the submission of the Respondent that the Claimant itself has tampered the product...**”*

The High Court held that even from the averments in the Complaint there was nothing to suggest that responsibility for the presence of suspended particles noticed in the products at BIPL's premises could be attributed to Revacure. The High Court concluded there was no *prima facie* offence under Section 274 of IPC was made out against Revacure even if all the averments in the Complaint were admitted.

D. Whether quashing of the FIR was merited under Section 482 of the Cr.P.C.

The High Court also examined whether quashing of the FIR was merited by exercise of its inherent powers under Section 482 of the Cr.P.C. The High Court observed that the FIR was registered on 14th February 2019 under Sections 274 / 275 of the IPC which are punishable for a maximum sentence of six months and / or fine. The High Court also noted that as per Section 468 of the Cr.P.C., limitation for taking cognizance on the chargesheet for the said offences is one year and that even though Section 473 Cr.P.C., enables the court to take cognizance of the offence even after the expiry of the period of limitation, in the present case, investigation had not been concluded for no explicable reason. The High Court held that since there was not even a *prima facie* case to justify registration of the FIR under the IPC, it was not expedient or in the interest of justice to continue with such proceedings after the lapse of six years of the alleged commission of the offence and therefore the FIR is liable to be quashed.

It is pertinent to note that the High Court clarified that the observations made in this judgment were only for the purpose of that FIR and were not an expression on merits in respect of any other proceedings under the D&C Act or any other enactment that may have been initiated or undertaken.

## SUPREME COURT ISSUES GUIDELINES IN RESPECT OF COMPOUNDING OF CHEQUE BOUNCING CASES

### Introduction:

In the case of **Sanjabij Tari v. Kishore S. Borcar & Anr.**<sup>4</sup> decided on 25th September 2025, the Supreme Court has ruled that the High Court in exercise of its revisional jurisdiction does not, in the absence of perversity, upset concurrent findings of fact by the trial court and the Sessions Court. The Supreme Court also took judicial notice of the huge backlog of cases under Section 138 of the Negotiable Instruments Act, 1881 (“NI Act”) and proceeded to issue guidelines for speedy disposal and amicable resolution of the same.

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[4] Criminal Appeal No. 1755 of 2010

## Facts:

The Appellant – Complainant (“**Appellant**”) approached the Supreme Court to challenge the ex-parte judgment passed by the Bombay High Court acquitting Respondent No. 1 – Accused (“**Respondent No. 1**”) under Section 138 of the NI Act. The Appellant filed an Application under Section 482 of the Code of Criminal Procedure, 1973 (“**Cr.P.C.**”) for recall of the impugned judgment by substantiating sufficient cause for the absence of his advocate, however, the Ld. Single Judge dismissed the application holding that the High Court had become *functus officio* and it had no jurisdiction under criminal law to recall the impugned order.

The Appellant contended that the High Court in exercise of its revisional jurisdiction erred in upsetting the conviction of Respondent No. 1, under Section 138 of the NI Act based on the categorical findings of fact rendered by both courts below that the dishonoured cheque had been issued in favour of the Appellant in discharge of a legally enforceable debt. The Appellant contended that there was no evidence on record to establish that the Appellant did not have the financial means to advance a friendly loan of Rs. 6,00,000/- (Rupees Six Lakhs Only) to the Respondent No. 1. It was also pointed out that the Respondent No. 1 during the course of arguments on sentencing before the trial court, prayed for leniency on the ground that he was ready to pay the cheque amount to the Appellant.

The Respondent No. 1 submitted that the salary of Appellant at the relevant time was not sufficient for him to take care of his family let alone for the purpose of advancing a loan to the Respondent No. 1. It was also contended that the Appellant was a highly indebted person who did not have any source of income besides his meagre salary and therefore, he did not have the wherewithal to advance such a huge loan without issuance of any receipt. It was also submitted that whenever the accused questions the financial capacity of the complainant in support of his probable defence,

despite the presumption of a legally enforceable debt under Section 139 of the NI Act, the onus shifts back to the complainant to prove his financial capacity, more particularly, when it is a case of giving a loan by cash and thereafter, issuance of a cheque. It was emphasised that the Respondent No. 1 gave a blank cheque to the Appellant to enable him to obtain a loan.

## Issue:

Whether the High Court in exercise of its revisional jurisdiction can upset concurrent findings of the trial court and sessions court?

## Held:

The Supreme Court outlined the scope and intent of Chapter XVII (Sections 138 to 148) of NI Act and noted that the reason for introducing the same was to restore the credibility of cheques as a trustworthy substitute for cash payment and to promote a culture of using cheques. The Supreme Court further observed that, by criminalizing the act of issuing cheques without sufficient funds or for other specified reasons, the law promotes financial discipline, discourages irresponsible practices and allows for more efficient and timely resolution of disputes compared to the previous pure civil remedy which would involve the payee in long-drawn out litigation.

The Supreme Court was also of the view that once the execution of the cheque was admitted, the presumption under Section 118 of the NI Act that the cheque was drawn for consideration and Section 139 of the NI Act that the holder of the cheque received the cheque in discharge of a legally enforceable debt or liability arises against the accused. The Supreme Court opined that by creating this presumption, the law reinforces the reliability of cheques as a mode of payment in commercial transactions. The presumption contemplated under Section 139 of the NI Act, is rebuttable and the initial onus of proving that the cheque is not in discharge of any debt or other liability is on the accused/drawer of

the cheque when the same is rebutted, the onus shifts back to the complainant to prove his financial capacity, more particularly, when it is a case of giving loan by cash.

The Supreme Court, set aside the judgment in the case of **P.C. Hari v. Shine Varghese & Anr., 2025 SCC OnLine Ker 5535** which held that a debt created by a cash transaction above Rs. 20,000/- (Rupees Twenty Thousand only) was in violation of the provisions of Section 269SS of the Income Tax Act, 1961 (“IT Act”) and therefore not a ‘legally enforceable debt’ unless, there is a valid explanation for the same, meaning thereby that the presumption under Section 139 of the NI Act will not be attracted in cash transactions above Rs. 20,000/- (Rupees Twenty Thousand Only). The Supreme Court ruled that any breach of Section 269SS of the IT Act is subject to a penalty only under Section 271D of the IT Act and further that neither Section 269SS nor 271D of the IT Act, 1961 state that any transaction in breach thereof will be illegal, invalid or statutorily void.

The Supreme Court also took judicial notice of the fact that some District Courts and High Courts are not giving effect to the presumptions incorporated in Sections 118 and 139 of NI Act and are treating the proceedings under the NI Act like civil recovery proceedings by directing the complainant to prove the antecedent debt or liability. The Supreme Court was of the view that such an approach not only prolongs trial but is also contrary to the mandate of Parliament, i.e. the drawer and the bank must honour the cheque, otherwise, trust in cheques would be irreparably damaged.

The Supreme Court observed that Respondent No. 1 did not file any documents or examine any independent witness or led any evidence with regard to the financial incapacity of the Appellant and while the accused can rely upon the evidence adduced by the complainant to rebut the presumption with regard to the existence of a legally enforceable debt or liability, in the present case,

when the evidence of Appellant is read in its entirety, it could not be said that the Appellant had no wherewithal to advance any loan to the Respondent No. 1. The Supreme Court further observed that the trial court in its order and judgment held that the Respondent No. 1 failed to rebut the presumption under Sections 118 and 138 of the NI Act, and the Appellant has proved the legally enforceable debt. It was also noted that the Sessions Court specifically rejected the contention that the Appellant had no means to advance the loan. The Supreme Court referred to the well settled principle of law that the High Court in exercise of its revisional jurisdiction does not, in the absence of perversity, upset concurrent findings of fact and ruled that in the absence of perversity it was not open to the High Court to upset the concurrent findings of the trial court and the sessions court. The Supreme Court further ruled that since the Respondent failed to reply to the statutory notice under Section 138 of the NI Act led to the inference that there is merit in the Appellant’s version. The Supreme Court held that after receipt of the notice under Section 138 of the NI Act from the Appellant, Respondent No. 1 did not file any complaint or legal proceeding alleging that the cheque was not to be encashed and thus, the defence of financial incapacity of the Appellant, advanced by Respondent No. 1 is an afterthought. The Supreme Court also ruled that the High Court’s finding that the Respondent No. 1’s defence that a signed blank cheque was issued by him so as to enable his friend / the Appellant to obtain a loan from the bank was sufficient to rebut the presumption under Sections 118 and 138 of the NI Act was unbelievable and absurd.

In view of the above, the Supreme Court set aside the Impugned Order and restored the orders of the trial court and the Sessions Court and directed the accused to pay the amount of Rs. 7,50,000/- (Rupees Seven Lakh Fifty Thousand Only), in 15 (fifteen) equated monthly instalments of Rs. 50,000/- (Rupees Fifty Thousand Only) each.

The Supreme Court also took judicial notice of the fact

that despite repeated directions by the Supreme Court in various judgments, the pendency of cheque bouncing cases under the NI Act in district courts in major metropolitan cities continues to be staggeringly high, putting unprecedented strain on the judicial system. The Supreme Court noted that the offence under Section 138 of the NI Act is quasi-criminal in character and compoundable and that the accused under Section 138 of the NI Act is entitled to the benefit under the Probation Offenders Act, 1958. The Supreme Court also observed that since service of summons on the accused is one of the main reasons for delay in disposal of complaints and punishment under Section 138 of the NI Act is not a means of retribution but rather to ensure payment of money and to promote credibility of cheques. The Supreme Court issued the following directions:

a. Service of summons shall not be confined through prescribed modes but shall also be issued *dasti* i.e. served upon the accused by the complainant. The trial courts shall further serve summons by electronic means in terms of the applicable Notifications/Rules, if any, framed under sub-sections 1 and 2 of Section 64 and under Clause (i) of Section 530 and other provisions of the *Bhartiya Nagarik Suraksha Sanhita, 2023* (“BNSS, 2023”) like *Delhi BNSS (Service of Summons and Warrants) Rules, 2025*. For this purpose, the complainant shall, at the time of filing the complaint, provide the requisite particulars including e-mail address, mobile number and/or WhatsApp number/messaging application details of the accused, duly supported by an affidavit verifying that the said particulars pertain to the accused/respondent.

b. The complainant shall file an affidavit of service before the Court and if the same is found to be false, the Court shall be at liberty to take appropriate action against the complainant.

c. In order to facilitate expeditious settlement of cases under Section 138 of the NI Act, the Principal District and Sessions Judge of each District Court shall create

and operationalise dedicated online payment facilities through secure QR codes or UPI links. The summons shall expressly mention that the accused has the option of making payment of the cheque amount at the initial stage itself through the said online link. The complainant shall also be informed of such payment and upon confirmation of receipt, appropriate orders regarding release of such money and compounding/closure of proceedings under Section 147 of the NI Act and/or Section 255 of Cr.P.C./278 BNSS, 2023 may be passed by the Court.

d. Each and every complaint under Section 138 of the NI Act shall contain a synopsis in the prescribed format stating the details of the parties, cheque, dishonour, statutory notice, cause of action, the relief sought and specifying if the complaint is filed through the complainant or an authorized representative. The synopsis shall be filed immediately after the index.

e. There shall be no requirement to issue summons to the accused in terms of Section 223 of BNSS, 2023 i.e., at the pre-cognizance stage.

f. The Trial Courts shall record cogent and sufficient reasons before converting a summary trial to summons trial. The Trial Court shall be at liberty (at the initial post cognizance stage) to ask questions, it deems appropriate, under Section 251 Cr.P.C. / Section 274 BNSS, 2023 including, whether the accused admits that the cheque belongs to him, whether the signature on the cheque is his, whether he issued the cheque to the complainant, whether the accused admitted liability to the complainant at the time of issuance of the cheque, if liability is denied, the defence should be stated clearly as – security cheque only, loan repaid already, cheque altered / misused, others.

g. The trial court shall record the responses to the questions in the order sheet in the presence of the accused and his/her counsel and thereafter determine whether the case is fit to be tried summarily under Chapter XXI of the Cr.P.C. / Chapter XXII of the BNSS, 2023.

h. Wherever, the Trial Court deems it appropriate, it shall use its power to order payment of interim deposit as early as possible under Section 143A of the NI Act.

i. Since physical courtrooms create a conducive environment for direct and informal interactions encouraging early resolution, the High Courts shall ensure that after service of summons, the matters are placed before the physical Courts. Exemptions from personal appearances should be granted only when facts so warrant. It is clarified that prior to the service of summons the matters may be listed before the digital courts.

j. Wherever cases under Section 138 of the NI Act are permitted to be heard and disposed of by evening courts, the High Courts should ensure that pecuniary limit of the cheque amount is realistic.

k. Each District and Sessions Judge in Delhi, Mumbai and Calcutta shall maintain a dedicated dashboard reflecting the pendency and progress of cases under Section 138 of the NI Act. The dashboard shall include, *inter alia*, details regarding total pendency, monthly disposal rates, percentage of cases settled/compounded, average number of adjournments per case and the stage-wise breakup of pending matters. The District and Sessions Judges in aforesaid jurisdictions shall conduct monthly reviews of the functioning of Magistrates handling NI Act matters. A consolidated quarterly report shall be forwarded to the High Court.

l. The Chief Justices of Delhi, Bombay and Calcutta are requested to form Committee on the Administrative side to monitor pendency and to ensure expeditious disposal of Section 138 of the NI Act cases. These Committees should meet at least once a month and explore the option of appointing experienced Magistrates to deal with Section 138 of the NI Act cases as well as promote mediation, holding of Lok Adalats and other alternative dispute resolution mechanisms in Section 138 NI Act cases.

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The Supreme Court found it pertinent to mention that guidelines for compounding of offences had already been laid down in the case of ***Damodar S. Prabhu vs. Sayed Babalal H. (2010) 5 SCC 663***, however, in view of the pendency and the fallen interest rates, the Supreme Court was of the view that the guidelines should be modified as follows:

a. If the accused pays the cheque amount before recording of his evidence, then the trial court may allow compounding of the offence without imposing any cost or penalty on the accused.

b. If the accused pays the cheque amount post the recording of his evidence but prior to the pronouncement of judgment by the trial court, the Magistrate may allow compounding of the offence on payment of additional 5% of the cheque amount to the Legal Services Authority or such other Authority as the Court deems fit.

c. If the accused pays the cheque amount before the Sessions Court or a High Court in Revision or Appeal, such Court may compound the offence on the condition that the accused pays 7.5% of the cheque amount by way of costs.

d. If the cheque amount is tendered before the Supreme Court, the figure would increase to 10% of the cheque amount.

The Supreme Court ruled that if the accused is willing to pay in accordance with the aforesaid guidelines, the court may suggest that the parties compound the offence. However, if the financial institutions / complainant asks for payment other than the cheque amount or settlement of the entire loan amount, then the Magistrate may suggest that the accused pleads guilty and exercise power under Sections 255 (2) and/or 255 (3) of the Cr.P.C. or 278 of the BNSS, 2023 (Magistrate finds the accused guilty and will pass sentence upon him according to law and/or convict the accused of any offence which from the

facts admitted or proved he appears to have committed, if the Magistrate is satisfied that the accused would not be prejudiced by) and/or give the accused the benefit under the Probation of Offenders Act, 1958.

The Supreme Court directed the High Courts and the District Courts to implement the guidelines as laid out in the judgment not later than 1st November 2025.

## CLUBBING OF MULTIPLE FIRs FILED IN VARIOUS STATES NOT PERMITTED

### Introduction:

The Supreme Court, by an order dated 26th September 2025, in the case of **Odela Satyam & Anr. v. State of Telangana & Ors.**<sup>5</sup> did not permit clubbing of multiple FIRs filed in various States, however, consolidation of multiple FIRs within the same State was permitted. The Supreme Court also observed that prayers for clubbing of future FIRs from various states and future FIRs was overambitious and outright illegal.

### Facts:

The Petitioners filed Writ Petitions before the Supreme Court seeking clubbing of FIRs registered in various states and future FIRs against a partnership firm, its partners and management officials. The FIRs were registered on complaints of investors of depositors who were allegedly duped by the partnership firm diverting funds leading to loss of their life savings. The FIRs were filed in the states of Karnataka, Maharashtra, West Bengal, Delhi, Andhra Pradesh, Rajasthan and Telangana. Four FIRs were lodged in the State of Telangana, two FIRs were lodged in Maharashtra and single FIRs were lodged in the remaining states.

The Petitioners sought clubbing of FIRs on the ground that multiple FIRs have been lodged on the very same cause of action and the investigation and prosecution has to be brought under one roof, which would be enabled by clubbing all the FIRs to one single police station where the first crime was registered.

[5] Diary No. 26673 of 2025

The State of Telangana where the maximum number of crimes were registered by the Economic Offences Wing, Cyberabad filed a counter affidavit resisting the prayers. It was pointed out that though the allegation of deflation of money received by unsuspecting investors is the same, the crimes were committed by the accused in different places of the country. It was contended that the modus operandi of the crime is the same, but the essential facts are different and the individual crime has ramifications which are unique in each transaction and also each transaction involves offences under enactments in different states.

### Issue:

Whether multiple FIRs can be clubbed?

### Held:

At the outset the Supreme Court observed that the prayers for clubbing of FIRs from various states and future FIRs are overambitious and outright illegal as has been noticed in *Amandeep Singh Saran v. State of Delhi and Others [2023 SCC Online SC 1851]*. The prayer regarding future FIRs is one that cannot be granted by any court of law. The Petitioners contended that a relief similar to that which is sought in the present case was granted in the case of *Radhey Shyam v. State of Haryana [W.P.(Crl.) No.75 of 2020]* and should be granted herein as well. The Supreme Court held that this issue was dealt with in the case of *Aman Deep Singh (supra)* wherein it was clarified that the power exercised in the case of *Radhey Shyam (supra)* was under Article 142 of the Constitution of India and that too with the consent of the States.

Regarding the reliance on the case of *Amish Devgan v. Union of India and Others [(2021) 1 SCC 1]* by the Petitioners, the Supreme Court reviewed the facts of the matter and noted that, in the aforementioned case, the petitioner – accused was a journalist who had been hosting and anchoring a debate show on a TV channel and in the course of the debate made observations about a person revered by a community which allegedly caused

hurt and incited religious hatred towards a community. Seven FIRs were registered in various parts of the country, while the Supreme Court found that the Petitioner could have approached the High Courts for appropriate reliefs, since detailed arguments were addressed by both sides on the maintainability of FIRs and to avoid multiplicity of litigations, quashing of the FIRs was refused and investigation was directed to be carried out independently of the refusal.

The Supreme Court also considered the reliance on the judgment in the case of *T.T. Antony v. State of Kerala and Others [(2001) 6 SCC 181]* which held that there can be no second FIR where information concerns the same cognizable offence alleged in the first FIR of the same occurrence or incident which gives rise to one or more cognizable offences and ruled that in the case of *Upkar Singh v. Ved Prakash and Others [(2004) 13 SCC 292]* and various decisions after *T.T. Antony (supra)* have held that *T.T. Antony (supra)* does not preclude the filing of a second complaint in regard to the same incident as a counter complaint nor is the cause of action prohibited by the Code of Criminal Procedure, 1973 (“Cr.P.C.”). The Supreme Court observed that in the case of *Amish Devgan (supra)* followed the ratio in *T.T. Antony (supra)* to the effect that the subsequent FIR would be treated as statements under Section 162 of the Cr.P.C. It was held therein that this would be fair and just to the complainants, at whose behest the FIRs were registered, since they would be in a position to file a protest petition in case a closure report is filed by the Police and in these circumstances certain FIRs were transferred to the police station where the first FIR was registered. The Supreme Court also distinguished the case of *Amish Devgan (supra)* and held that the offence therein was one of an alleged objectionable statement leading to hurting of religious sentiments telecast in a television show which stands distinct from the instant case wherein FIRs were registered on the complaints of the investors of depositors who were alleged to have been duped by the firm diverting the funds leading to loss of their life’s savings. The Supreme Court stated that it was not to be forgotten that after investigation if

a charge sheet is filed, the trial will have to be proceeded with, producing witnesses, being the investors of depositors, from the various locations in which event the clubbing of FIRs from all the States would not be practical.

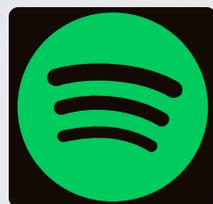
The Supreme Court also referred to the case of *Amanat Ali v. State of Karnataka and Others [(2023) 14 SCC 801]* wherein consolidation of FIRs, alleging fraud carried out by a company, was prayed for under Articles 32 and 142. It was noted that in the aforementioned case, the Supreme Court followed the principles in the case of *Amish Devgan (supra)* and invoked the power conferred under Article 142 of the Constitution but only permitted consolidation of the FIR registered in the State of Madhya Pradesh and the prayer for transfer of cases pending in the states of Karnataka and Jharkhand were specifically rejected.

It was also observed that Section 242 of the Bharathiya Nagarik Suraksha Sanhitha, 2023 (“BNSS”) provides that when a person is accused of more than one offence of same kind committed within 12 months from the first to last of such offences, whether in respect of the same person or not, he may be charged with and tried at one trial for any number of them not exceeding five.

The Supreme Court directed that since there were four crimes registered in various parts of Telangana, they would be transferred to the Economic Offences Wing, Cyberabad and the two FIRs registered in the state of Maharashtra would be transferred to Ambazari, Nagpur City and the clubbing of the single FIRs filed in the states of Karnataka, West Bengal, Delhi, Andhra Pradesh and Rajasthan was rejected. The Supreme Court further made it clear that if and when trial commences, witnesses from prosecution if travelling from the police station limits in which the FIR was originally registered to the Court to which the FIR has been transferred by the current judgment, the Court would award costs which would be paid by the accused through the Court to defray the expenses of travel and residence, if necessary.

The Supreme Court also noted that some of the Petitioners are under arrest and are languishing in jail and considering the fact that they spent months in jail, the Supreme Court directed that they should be released on bail on such conditions imposed by the Jurisdictional Magistrate, including that of cooperation in the investigation. The Supreme Court also directed that those accused against whom warrants are pending should not be arrested. The Supreme Court clarified that this order would continue only for a period of six months within which the Petitioners shall appear before the Jurisdictional Courts in which the various FIRs are registered praying for regular bail, which shall be considered on the same day and granted on conditions found appropriate including the condition of cooperating with the investigation.

The Supreme Court further directed that the production warrants issued by the Jurisdictional Courts against the Petitioners should not be acted upon for the six months as stated above, during which time the Petitioners should appear before the respective Courts and seek bail. It was clarified that the Petitioners would be obligated to cooperate with the investigation and any failure of that or the other conditions imposed would enable the Investigating Agency to approach the Jurisdictional Court for cancellation of bail. It was further clarified that the order granting protection from coercive steps to those who are released on bail and those against whom warrants are pending would only be in force for the six-month period stipulated therein, and if the Petitioners failed to approach the jurisdictional courts, the police would be entitled to proceed in accordance with law.



**ANM ThinkPod**

# FIRM HIGHLIGHTS

ANM Global announced promotions of colleagues: Anisha Shetty as Partner, Shwetank Tripathi as Partner Designate, Gaurav Suryavanshi as Principal Associate, and Raashi Vaishya, Dishita Shah, Jinal Doshi as Senior Associate. Their legal acumen, client service, and excellence reflect the firm's philosophy of nurturing talent and recognising merit.

**ANM GLOBAL**  
Advocates & Legal Consultants

**PROMOTION ANNOUNCEMENT**

  
ANISHA SHETTY  
PARTNER

  
SHWETANK TRIPATHI  
PARTNER DESIGNATE

  
GAURAV SURYAVANSHI  
PRINCIPAL ASSOCIATE

  
JINAL DOSHI  
SENIOR ASSOCIATE

  
RAASHI VAISHYA  
SENIOR ASSOCIATE

  
DISHITA SHAH  
SENIOR ASSOCIATE

From The Economic Times

Advocates & Legal Consultants

**QUOTED BY ET LEGAL - "GAME ON: CAN INDIA'S NEW SPORTS LAW FUEL A LUCRATIVE LEGAL PRACTICE?"**



*"Compliance will become systematic. The bigger clubs and federations will go to law firms. The smaller ones might rely on independent lawyers. Either way, this creates a stream of legal work that simply didn't exist before.*

*This will open doors for a lot of young sports lawyers. But the ecosystem itself has to mature. Otherwise, it risks being an opportunity without longevity."*

**NIDHISH MEHROTRA**  
MANAGING PARTNER

ANM Global Managing Partner Nidhish Mehrotra was quoted in ETLegalWorld's feature "Game On: Can India's New Sports Law Fuel a Lucrative Legal Practice?" sharing perspectives on regulatory compliance in Indian sports law, as the evolving sports and gaming landscape creates new waves of legal work.

# FIRM HIGHLIGHTS

Partner Designate Shwetank Tripathi was quoted in ETLegalWorld's feature "Bollywood vs. Algorithm: Courts Step In to Safeguard Personality Rights." The recognition reflects the firm's commitment to discussions on emerging legal issues and conversations at the intersection of law, technology, and society.



From The Economic Times  
Advocates & Legal Consultants

**QUOTED BY ET LEGAL WORLD: "BOLLYWOOD VS. ALGORITHM: COURTS STEP IN TO SAFEGUARD PERSONALITY RIGHTS"**



*"Indian courts have taken progressive and strict stance against modern forms of personality rights violations by way of AI-generated content and deepfakes.*

*The courts have restrained circulation of such content by way of directions to intermediary platform to immediately take down such content and disclose the subscriber information of the person who uploaded such content.*

*Celebrities should be vigilant and take legal action at slightest of violation of their personality rights, and not wait for largescale misuse.*

*The first and foremost legal remedy that the celebrity should adopt is to file a commercial suit for seeking dynamic injunction against the infringing content so that one order can protect violations not only which are challenged in the proceedings but also future such violations."*

**SHWETANK TRIPATHI**  
PARTNER DESIGNATE

ANM Global's Partner Designate Shwetank Tripathi was quoted in Outlook Business feature "Why Celebrities Take Legal Action over Names, Images & Phrases — Personality Rights Issue Explained," highlighting growing relevance of this area of law with digital media and influencer culture.



THINK BEYOND. STAY AHEAD.  
Advocates & Legal Consultants

**QUOTED BY OUTLOOK BUSINESS - "WHY CELEBRITIES TAKE LEGAL ACTION OVER NAMES, IMAGES & PHRASES — PERSONALITY RIGHTS ISSUE EXPLAINED"**



*"As per the 2021 Intermediary Guidelines, the online platforms like Google and YouTube have greater responsibility to do a thorough diligence of content uploaded on their portals. They are mandated to publish the rules & regulations, privacy policy, and user agreement on their platforms.*

*They are also required to make efforts to prevent uploading of infringing content on their platforms. They need to promptly take down infringing content and disclose information of the uploader, upon service of a court order or a direction from the appropriate government authority"*

**SHWETANK TRIPATHI**  
PARTNER DESIGNATE

# FIRM HIGHLIGHTS

ANM Global–Scriboard hosted a Roundtable on Data Privacy, Cybersecurity & AI, chaired by Mr. Rodney D. Ryder. The session explored the intersection of technology, regulation, and law, fostering meaningful dialogue on the evolving landscape of digital law and policy.



**ANM-SCRIBOARD**  
Advocates & Legal Consultants

**DATA PRIVACY,  
CYBERSECURITY & AI  
ROUNDTABLE**

**Friday**  
26 September, 2025

**Start At**  
03:30 PM Onwards

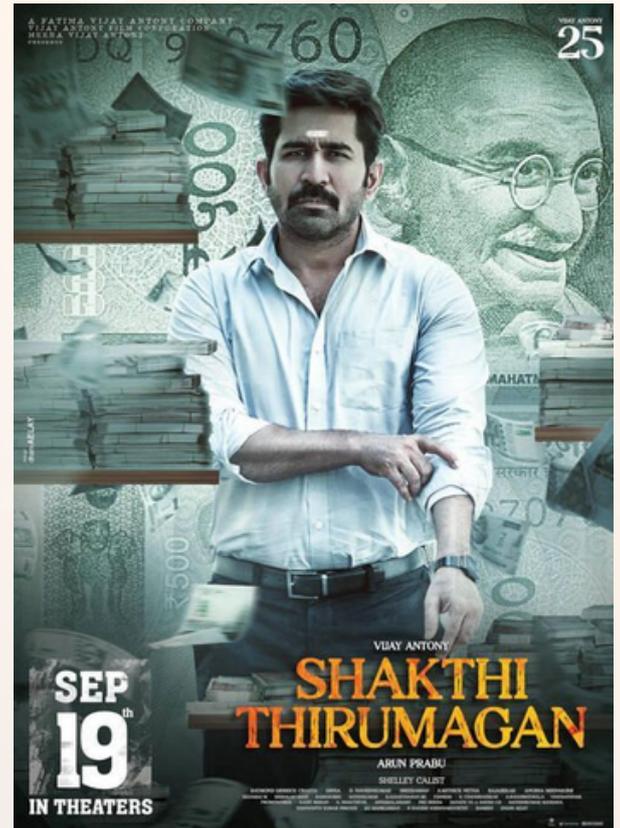
**Location**  
MCA, BKC

ANM Global's Partner Sneha Nanandkar represented the firm at INDIA ADR WEEK 2025 by MCIA and IPBA Arbitration Day, Mumbai, engaging with global practitioners on issues from arbitration regime lacunas to ESG, treaties, enforceability of arbitral awards, and climate change, reinforcing ANM Global's commitment to international arbitration discourse and stronger dispute resolution frameworks.



# FIRM HIGHLIGHTS

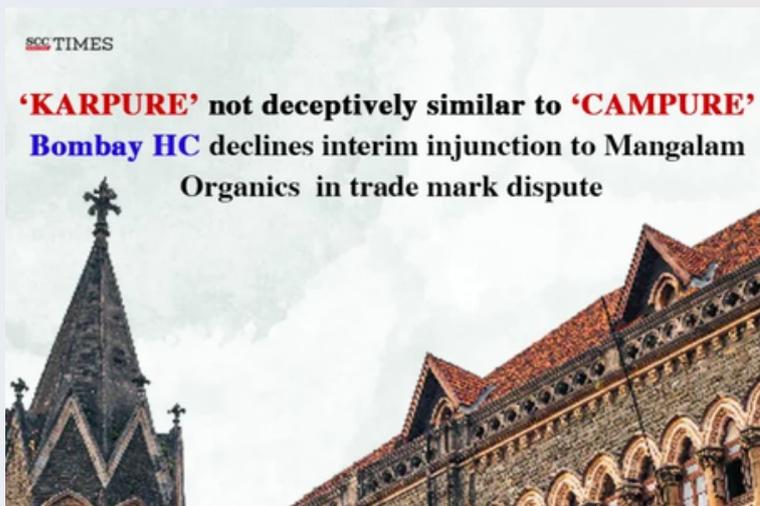
ANM Global represented RKD Studios in acquiring and exploiting dubbing rights of Shakthi Thirumagan, directed by Arun Prabhu Purushottaman with Vijay Antony and cast, released on 19th September 2025, enabling wider reach in all world languages except South Indian through its Hindi dubbed version.



ANM Global provided legal support to I AM Buddha Entertainment & Media LLP for Hindi film “The Bengal Files”, directed by Vivek Ranjan Agnihotri and released on 5th September 2025, handling production-related legal matters, contractual engagements, and distribution deals across mediums, while extending best wishes to the team.

# FIRM HIGHLIGHTS

ANM Global represented Tips Music Limited in drafting, negotiating, and executing the exploitation agreement for Mirai's music rights. Directed by Karthik Gattamneni. The epic tale features Teja Sajja, Ritika Nayak, Manoj Kumar Manchu, and cast.



ANM Global successfully represented N. Ranga Rao & Sons Private Limited in the matter of Mangalam Organics Ltd. v. N. Ranga Rao & Sons Pvt. Ltd., where the Hon'ble Bombay High Court refused to grant an interim injunction against the use of the marks "KARPURE" / "AIR KARPURE."

# DISCLAIMER

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## RECOMMENDED FIRM FOR MEDIA AND ENTERTAINMENT BY ASIALAW PROFILES

