

7 April 2025 -12 April 2025



Manupatra Weekly Wrap

A round-up of the last week's key updates to keep you informed on the go!

Case Laws



LIMITATION

Supreme Court: Suit can be dismissed as time-barred even if no specific issue on limitation was formally framed

R. Nagaraj (Dead) Through Lrs. And Another Vs. Rajmani And Others, Dated: 09.04.2025, (MANU/SC/0477/2025; 2025 INSC 478).

The **Supreme Court** has observed that “*The Limitation Act, 1963 restricts the right of a litigant by prescribing a time limit within which action must be initiated. Its object is to provide a time or period, within which, the action has to be initiated. The object of the Act is not to destroy a vested right available in law but to prevent indefinite litigation and therefore, only prescribes a period for initiation of the litigation.*”

CIVIL

Supreme Court: Judgment on admission can be delivered even without reference to pleadings

Rajiv Ghosh Vs. Satya Naryan Jaiswal, Dated: 07.04.2025, (MANU/SC/0474/2025; 2025 INSC 467).

The **Supreme Court** has observed that the legal stance under Order XII Rule 6 of the Civil Procedure Code (CPC), states that a 'judgment on admission' can be passed at any stage of the suit, based on oral or written admissions, including those made outside the pleadings, and without requiring a separate application to invoke this provision.

Supreme Court raised concerns over lengthy pleadings and use of AI-generated statements, urging courts to strike out unnecessary pleadings in civil suits

Annaya Kocha Shetty (Dead) Through Lrs Vs. Laxmibai Narayan Satose Since Deceased Through Lrs & Others, Dated: 08.04.2025, (MANU/SC/0471/2025; 2025 INSC 466).

The **Supreme Court** has observed that “*The time has come for courts to invoke the jurisdiction under Order 6 Rule 16 and make litigation workable. Courts are also confronted with AI-generated or computer-generated statements. While technology is useful in enhancing efficiency and efficacy, the placid pleadings will disorient the cause in a case. It is time that the approach to pleadings is re-invented and re-introduced to be brief and precise.*”

Jammu & Kashmir: Feasibility or viability of infrastructural project by government cannot be looked into by court

Palm Island Space Owners Welfare Association & Ors. Vs. Union of India and others, Dated: 07.04.2025, (MANU/JK/0220/2025).

The **Jammu and Kashmir High Court** has held that this Court is not equipped to decide upon the viability and feasibility of the infrastructural project by the government. Whether the proposed merger scheme would be technically feasible or whether it would serve the larger public interest are matters beyond the scope of judicial review.

CRIMINAL

Supreme Court: Rule of law must safeguard foreign investors' investments

Hyeoksoo Son Authorized Representative For Daechang Seat Automotive Pvt. Ltd. Vs. Moon June Seok & Anr., Dated: 08.04.2025, (MANU/SC/0466/2025; 2025 INSC 474)

The **Supreme Court** has observed that “*The rule of law has a responsibility to protect the investments of foreign investors, while at the same time ensuring that any person accused of mishandling such funds is really and fully protected by the power of the phrase ‘innocent till proven guilty’.*”

Supreme Court: Can relax requirement of preliminary inquiry if FIR based on detailed source report

State Of Karnataka Vs. Sri Channakeshava.H.D. & Anr., Dated: 08.04.2025, (MANU/SC/0472/2025; 2025 INSC 471)

The **Supreme Court** has observed that in matters of corruption a preliminary enquiry although desirable, is not mandatory. In a case where a superior officer, based on a detailed source report disclosing the commission of a cognizable offence, passes an order for registration of FIR, the requirement of preliminary enquiry can be relaxed.

Supreme Court: Accused person who is absconding or hindering execution of warrant is not eligible for anticipatory bail

Serious Fraud Investigation Office Vs. Aditya Sarda, Dated: 09.04.2025, (MANU/SC/0479/2025; 2025 INSC 477)

The **Supreme Court** has observed that “*If he (accused) is creating hindrances in the execution of warrants or is concealing himself and does not submit to the authority of law, he must not be granted the privilege of anticipatory bail, particularly when the Court taking cognizance has found him prima facie involved in serious economic offences or heinous offences.*”

Supreme Court flagged misuse of rape laws after break-ups and quashed case against former judge over alleged marriage promise

Biswajyoti Chatterjee Vs. State Of West Bengal & Anr., Dated: 07.04.2025, (MANU/SC/0454/2025; 2025 INSC 458)

The **Supreme Court** has observed that “*there is a growing tendency of resorting to initiation of criminal proceedings when relationships turn sour. Every consensual relationship, where a possibility of marriage may exist, cannot be given a colour of a false pretext to marry, in the event of a fall out. It is such as that amounts to an abuse of process of law, and it is under such circumstances, that we deem fit to terminate the proceedings at the stage of charge itself.*”

Supreme Court: Prosecution must disprove accused's alibi before passing conviction based on 'last seen' theory

Jagdish Gond Vs. The State of Chhattisgarh and Ors., Dated: 07.04.2025, (MANU/SC/0457/2025; 2025 INSC 460)

The **Supreme Court** has observed that simply being last seen together in their shared home does not alone warrant a conviction of the husband for the alleged murder. If the husband raises an alibi and the prosecution fails to convincingly disprove it, a conviction cannot be based on this alone.

Delhi High Court: Place where tormented lady gets compelled to kill herself has no bearing

Vinay Vs. State Govt. Of NCT Of Delhi, Dated: 07.04.2025, (MANU/DE/2357/2025; 2025:DHC:2372)

The **Delhi High Court** has stated that place where a tormented lady gets compelled to kill herself has no bearing. For purposive interpretation of the provision under Section 304B of IPC, it is the existence and continuance of matrimony which has to be kept in mind and not the place to which the deceased shifts herself before taking her life.

Orissa High Court: Dying declaration does not need to be addressed to specific person

Daktar Bhoi Vs. State of Odisha, Dated: 08.04.2025, (MANU/OR/0397/2025)

The **Orissa High Court** has observed that “The dying declaration is a substantive evidence only for the reason that a person in acute agony is not expected to tell a lie and in all probability, it is expected from such person to disclose the truth and an order of conviction can be safely recorded on the basis of dying declaration, if the Court is fully satisfied that the declaration made by the deceased was voluntary, true and reliable and in such case, no further corroboration can be insisted. Dying declaration need not be addressed to a particular individual”.

Kerala High Court: Our jails are well equipped to face any casualty to any prisoner

K N Anand Kumar Vs. State Of Kerala & Ors., Dated: 09.04.2025, (MANU/KE/1393/2025; 2025:KER:29600)

The **Kerala High Court** has observed that our jails are well equipped to face any casualty to any prisoner. Therefore, simply because a person is sick, no court needs to release the accused invoking the first proviso to Section 480(1) of BNSS.

CONSTITUTION

Supreme Court: Governors are generally required to act on advice of State Council of Ministers when deciding on assent to bills

The State Of Tamil Nadu Vs. The Governor Of Tamil Nadu & Anr., Dated: 08.04.2025, (MANU/SC/0483/2025; 2025 INSC 481)

The **Supreme Court** has observed that “*the Governor does not possess any discretion in the exercise of his functions under Article 200 and has to mandatorily abide by the advice tendered to him by the Council of Ministers*”.

CONTRACT

Supreme Court established guidelines for interpretation of deeds and contracts

Annaya Kocha Shetty (Dead) Through Lrs Vs. Laxmibai Narayan Satose Since Deceased Through Lrs & Others, Dated: 08.04.2025, (MANU/SC/0471/2025; 2025 INSC 466)

The **Supreme Court** has observed that “*the court must look at the words used in the contract unless they are such that one may suspect that they do not convey the intention correctly. If the words are clear, there is very little the court can do about it. In constructing a deed, looking at the surrounding circumstances and subject matter is legitimate only if the words used are doubtful*”.

Supreme Court: Section 28 of Contract Act does not prohibit exclusive jurisdiction clauses in contracts

Rakesh Kumar Verma & Ors. Vs. HDFC Bank Ltd. & Ors., Dated: 08.04.2025, (MANU/SC/0464/2025; 2025 INSC 473)

The **Supreme Court** has observed that “*Section 28 of the Contract Act does not bar exclusive jurisdiction clauses. What has been barred is the absolute restriction of any party from approaching a legal forum*”.

CUSTOMS

CESTAT Chennai: No jurisdiction to hear appeals regarding goods imported or exported as domestic baggage under the proviso to Section 129A(1) of the Customs Act

Noorul Ayin & Ors. Vs. Commissioner of Customs, Dated: 08.04.2025, (MANU/CC/0103/2025)

The **Customs, Excise & Service Tax Appellate Tribunal (CESTAT), Chennai** by taking into consideration cases like Principal Commissioner of Customs Vs Ahmed Ghani Nachiar the tribunal observed that “*baggage’ under the Baggage Rules 2016, includes jewellery worn or concealed on the person of an individual arriving in India from abroad, and hence this Tribunal lacks the jurisdiction to entertain an appeal pertaining to ‘any goods imported or exported as baggage’ as per the exclusions carved out by the proviso to Section 129A(1) of the Customs Act, 1962*”.

CAPITAL MARKET

Supreme Court: SEBI cannot reopen proceedings without adequate grounds, emphasizing that principle of res judicata applies

Securities And Exchange Board of India Vs. Ram Kishori Gupta & Anr., Dated: 07.04.2025, (MANU/SC/0461/2025)

The **Supreme Court** has observed that the principle of res judicata applies to quasi-judicial proceedings. The Court upheld the decision of the Securities Appellate Tribunal, which ruled that SEBI's later disgorgement order was barred by res judicata, as the earlier order had not included such a direction. The Court applied the doctrine of constructive res judicata (as outlined in Explanation IV to Section 11 of the Civil Procedure Code), stating that since SEBI had the opportunity to order disgorgement in the initial proceedings, it could not introduce it in a subsequent order.

INSURANCE

Supreme Court: Can't deny insurance claim for breach of impossible condition

Sohom Shipping Pvt. Ltd. Vs. M/S. The New India Assurance Co. Ltd. & Anr., Dated: 07.04.2025, (MANU/SC/0455/2025; 2025 INSC 453)

The **Supreme Court** has held that the claim of insured cannot be rejected by an insurance company on the grounds of breach of a condition in the contract that was impossible to perform.

INSOLVENCY

NCLAT: No Requirement of opportunity of being heard at stage of report submission u/s 99 of IBC

Iqbal Jumabhoy & Ors. Vs. Shri Manoj Kumar Anand & Ors., Dated: 07.04.2025, (MANU/NL/0258/2025)

The **National Company Law Appellate Tribunal (NCLAT)** Chennai bench has held that there is no requirement of the opportunity of being heard at the stage when a report under Section 99 of the Insolvency and Bankruptcy Code, 2016 is submitted as the role of the Resolution Professional at this stage is only recommendatory and not adjudicatory.

MEDIA & COMMUNICATION

Delhi High Court: Channel placement deals do not obligate DPO to include broadcasters channel as part of bouquets offerings

Associated Broadcasting Company Pvt. Ltd. Vs. Union Of India & Ors., Dated: 08.04.2025, (MANU/DE/2571/2025; 2025:DHC:2405)

The **Delhi High Court** has noted that an agreement between a broadcaster and a Distribution Platform Operator (DPO) for assigning a specific Logical Channel Number (LCN) is distinct from the DPO taking on the obligation to include the broadcaster's channels in its bouquet offerings.

Kerala High Court warns media outlets against airing unverified and one-sided reports merely to increase TRP

Sindhu S & Ors. Vs. State of Kerala, Dated: 11.04.2025, (MANU/KE/1394/2025; 2025:KER:30672)

The **Kerala High Court** has observed that *“it is high time for the channels and medias to be more vigilant while giving news items in channels and medias in any form to have an enquiry with regard to the truth of the matter or to include the version of the other side (the person against whom the allegations are levelled) after hearing him, or somebody on his behalf capable of explaining the stand of the other side, then, the medias may report both versions to the viewers and readers to decide what actually is the truth behind the news”*.

FAMILY

Delhi High Court: Lawyers in matrimonial disputes should focus on resolving issues, not fueling allegations

Shikha Kanwar Vs. Rajat Kanwar, Dated: 07.04.2025, (MANU/DE/2438/2025; 2025:DHC:2376-DB)

The **Delhi High Court** has observed that *“In matrimonial disputes as their entire personal life comes to a standstill and they also experience emotional trauma. In such cases, human tendencies cannot be ignored by the Court. Lawyers also have a great responsibility in such matters not only towards their own client but also towards the Court and towards the society as well. Peace and tranquility are extremely necessary. Lawyers ought to advise clients towards resolution of disputes rather than making and fueling allegations against each other”*.

Bombay High Court: Can't accept adoption deed as having presumptive value only because it is registered

Nivritti Pandurang Nale Vs. Uttam Ganu Nale & Ors, Dated: 08.04.2025, (MANU/MH/2105/2025; 2025:BHC-AS:16241)

The **Bombay High Court** has observed that only because the adoption deed is a registered document it cannot be accepted as having presumptive value under Section 16 of the Hindu Adoption and Maintenance Act, 1956. The presumption under Section 16 applies only if the document records the particulars of the adoption made and it is signed by the person giving and taking the child in adoption.

Patna High Court: Can grant child custody on basis of present-day circumstances

Bimlesh Kumar Vs. Kapildev Narayan Ray and Ors., Dated: 07.04.2025, (MANU/BH/0422/2025)

The **Patna High Court** while rejecting a father's plea for custody over his minor daughter, has observed that the sense of security which the child needs, the warmth and affection she can get today would be undoubtedly greater in the company of maternal grandparents than that of the father.

SERVICE

Supreme Court: Three Judge Bench dismisses appeals of candidates to submit caste certificates beyond cut-off date

Sakshi Arha Vs. The Rajasthan High Court & Ors., Dated: 08.04.2025, (MANU/SC/0469/2025; 2025 INSC 463)

The **Supreme Court** has dismissed appeals filed by certain candidates who were denied appointment at the post of Civil Judge by the Rajasthan High Court on the ground that the candidates submitted their caste certificates after the cut-off date.

A hand holding a smartphone, with three white notification icons (envelopes with checkmarks) floating above it, each with a signal wave. The background is a blurred indoor setting.

Notification Updates

Ministry of Finance

Press Information Bureau, Dated: 09.04.2025, MANU/PIBU/0353/2025

The **Reserve Bank of India** has reduced the policy repo rate to 6% to boost lending and investment amid global economic uncertainties. The GDP growth for 2025-26 is projected at 6.5%, with inflation expected to remain within the 4% target band. The RBI emphasizes maintaining financial stability while supporting economic growth.

Ministry of Electronics & IT

Press Information Bureau, Dated: 07.04.2025, MANU/PIBU/0345/2025

India has launched its first Digital Threat Report 2024 to bolster cybersecurity in the Banking, Financial Services, and Insurance (BFSI) sector. The report, a collaboration between CERT-In, CSIRT-Fin, and SISA, identifies security gaps and emerging cyber risks, aiming to empower financial institutions to enhance their defenses and build long-term cyber resilience. It emphasizes the need for a unified cybersecurity framework to protect India's financial infrastructure amidst the rapid digital transformation.

Ministry of Communications

Press Information Bureau, Dated: 09.04.2025, MANU/PIBU/0356/2025

Telecom Service Providers have published mobile network coverage maps on their websites as mandated by the Telecom Regulatory Authority of India (TRAI) to enhance transparency and empower subscribers. These maps, which include features for easy navigation and technology-specific coverage, are accessible on both the TSPs' and TRAI's websites. The initiative aims to assist subscribers and stakeholders in understanding telecom coverage and planning e-enabled initiatives.

Press Information Bureau, Dated: 07.04.2025, MANU/PIBU/0347/2025

Fraudsters are impersonating TRAI officials through calls and messages, threatening mobile disconnection to extract money. TRAI clarifies it does not contact customers for such issues and advises vigilance against these scams. Suspected fraud should be reported through the Sanchar Saathi platform or the Cybercrime helpline.

Ministry of Health and Family Welfare

Press Information Bureau, Dated: 10.04.2025, MANU/PIBU/0359/2025

The **Government of NCT of Delhi** has distributed Ayushman cards under the AB PM-JAY scheme, benefiting 36 lakh people. An MoU was signed for implementing PM-ABHIM, with Rs. 1749 Crore approved for health infrastructure development in Delhi. The scheme provides a Rs. 10 lakh annual health cover for beneficiary families in empaneled hospitals.

Insolvency and Bankruptcy Board of India

**Notification No.: IBBI/2025-26/GN/REG123, Dated: 03.04.2025,
MANU/NMIC/0091/2025**

The **Insolvency and Bankruptcy Board of India** has introduced Insolvency and Bankruptcy Board of India (Insolvency Professionals) (Amendment) Regulations, 2025 to further amend the Insolvency and Bankruptcy Board of India (Insolvency Professionals) Regulations, 2016.

Ministry of Labour and Employment

Press Information Bureau, Dated: 09.04.2025, MANU/PIBU/0357/2025

The **Employees' Provident Fund Organisation (EPFO)** has introduced a new digital service for generating and activating Universal Account Numbers (UAN) using Aadhaar Face Authentication via the UMANG App. This initiative aims to simplify the process, enhance security, and provide a seamless experience for EPFO members by allowing direct UAN generation and activation without employer dependency. The service also facilitates immediate access to EPFO services and encourages employers to adopt this efficient method.

**Notification No.: WSU/IssuesofBKG/E-49885/2024-2025/16, Dated:
03.04.2025, MANU/LABR/0008/2025**

The **Ministry of Labour and Employment** has removed the requirement for uploading images of cheque leaves or attested bank passbooks and eliminated the need for employer approval for seeding bank account details with UAN, provided the bank account is validated by the concerned bank/NPCI.

Ministry of Minority Affairs

Press Information Bureau, Dated: 08.04.2025, MANU/PIBU/0350/2025

The **Waqf (Amendment) Bill, 2025**, aims to empower Muslim women by ensuring their inheritance rights, providing financial support to widows and divorced women, and increasing their role in Waqf governance. It promotes economic independence through vocational training and digitizes Waqf records for transparency, aiming for long-term gender equality in Waqf administration.

Notification No.: SO1646(E), Dated: 08.04.2025, MANU/MIAF/0003/2025

The **Central Government** appointed 8th day of April 2025 as the date on which the provisions of the Waqf (Amendment) Act, 2025 Act shall come into force.

Securities and Exchange Board of India

Circular No. : SEBI/HO/IMD/IMD-PoD-1/P/CIR/2025/54, Dated: 09.04.2025, MANU/SMFD/0008/2025

The **Securities and Exchange Board of India** has issued clarifications on the regulatory framework for Specialized Investment Funds (SIF), addressing industry queries. Key changes include exemptions for interval schemes from certain maturity provisions and modifications to the minimum investment threshold requirements. These provisions aim to protect investor interests and regulate the securities market effectively.

Circular No.: SEBI/HO/AFD/AFD-POD-3/P/CIR/2025/52, Dated: 09.04.2025, MANU/SIPM/0006/2025

The **Securities and Exchange Board of India** has amended its circular to mandate additional disclosures by Foreign Portfolio Investors (FPIs) that meet specific criteria, increasing the threshold for equity AUM from INR 25,000 crore to INR 50,000 crore. This amendment aims to enhance transparency and regulation in the securities market.

Press Release No.: 19/2025, Dated: 09.04.2025, MANU/SPRL/0018/2025

The **Securities and Exchange Board of India** has launched its official X (formerly Twitter) account, @SEBI_updates, to post notifications about regulations, orders, circulars, and press releases. These updates will also be available on the SEBI website.

Circular No.: SEBI/HO/MRD/TPD/CIR/P/2025/50, Dated: 04.04.2025, MANU/SMIS/0028/2025

The **Securities and Exchange Board of India** has introduced a standardized format for System and Network audit reports for Market Infrastructure Institutions (MIs) to ensure consistent data quality and compliance monitoring. This format, developed in consultation with the Technology Advisory Committee and MIs, will be applicable from FY 2024-25 and aims to streamline audit processes and improve traceability of audit observations.

Circular No.: SEBI/HO/MIRSD/MIRSD-POD/P/CIR/2025/51, Dated: 04.04.2025, MANU/SMIS/0027/2025

The document discusses the establishment and operational framework of the Past Risk and Return Verification Agency (PaRRVA) by the **Securities and Exchange Board of India**, including eligibility criteria, roles, and responsibilities for CRAs and SEs. It covers the verification process for risk-return metrics, dispute resolution mechanisms, and regulatory amendments for using verified metrics in advertisements.

News



Arbitration

10.04.2025

The **Telangana High Court** has ruled that the mandate of arbitration under Section 29A of the Arbitration and Conciliation Act can be extended by the High Court only in cases where the arbitrator was appointed by the High Court itself.

09.04.2025

The **Supreme Court of Singapore** has set aside an arbitral award passed by the tribunal presided over by former CJI Dipak Mishra on the grounds that parallel awards were used as templates in drafting the award to a very substantial degree.

07.04.2025

The **Calcutta High Court** has stated that arbitration clause cannot be considered legally binding if it does not include a clear and mandatory reference to arbitration as the chosen method for resolving disputes.

Civil

13.04.2025

Kerala becomes the first state in India to launch online services for Permanent Lok Adalats.

12.04.2025

Right To Information response reveals AIBE XIX pass rate increased from 51% to 77%.

09.04.2025

The **Supreme Court** directed the Expert Committee set up by the Food Safety and Standards Authority of India (FSSAI) to submit its report on the proposed amendments introducing star-rating labels for the nutritional content of food products.

The **Supreme Court** announced the dates for the next Advocates-on-Record examination that will take place in New Delhi on June 16th, 17th, and 21st, 2025.

The **Supreme Court** has observed that only the Bombay High Court should hear cases related to the New Bombay High Court land, transferring such cases from other courts.

Criminal

11.04.2025

A **Delhi Court** sent Tahawwur Hussain Rana, an accused in the 26/11 Mumbai terror attacks, to 18 days of custody with the National Investigation Agency (NIA).

07.04.2025

The **Punjab and Haryana High Court** highlights 'alarming' surge in immigration frauds, urges stronger deterrent measures.

The **Punjab & Haryana High Court** has instructed the Punjab Government to formulate a policy to regulate the functioning of spa and massage centers across the state. The Court observed that many such establishments are being used as a front for prostitution rackets and immoral or human trafficking activities.

The **Jammu & Kashmir and Ladakh High Court** has observed that merely because confidential information was not provided to detainee for public interest, it cannot be stated that constitutional and statutory rights of the detainee have been violated so as to entail quashment of the impugned order.

Constitution

10.04.2025

Sheikh Noorul Hassan, the Manipur MLA from Kshetrigao constituency and the leader of the National People's Party (NPP) in the Manipur Legislative Assembly, has approached the **Supreme Court** to challenge the Waqf Amendment Act, 2025.

09.04.2025

A petition has been filed in the **Delhi High Court** seeking an increase in the number of Delhi's Council of Ministers, in line with the provisions of Article 164(1) of the Constitution of India, to match that of other states.

Education

10.04.2025

The **Supreme Court** issued a notice in response to a PIL requesting measures to ensure fair and transparent grading by the National Assessment and Accreditation Council (NAAC) for Higher Education Institutions (HEIs).

Environment

08.04.2025

The **Supreme Court** has directed the Municipal Corporation of Delhi (MCD) to start massive awareness campaigns about the duties of various stakeholders under Rule 4 of Solid Waste Management Rules, 2016 by making advertisements in media both traditional, electronic and social media platforms.

Family

07.04.2025

The **Patna High Court** has ruled that schizophrenia in a spouse is not a valid ground for divorce unless the disorder is of such severity that living together becomes untenable.

Insolvency

09.04.2025

The **NCLAT New Delhi** written acknowledgment of debt resets limitation period for insolvency proceedings.

07.04.2025

The **NCLAT New Delhi** bench has held that the court must adopt a lenient approach while condoning the delay in refiling an appeal. However, sufficient cause must still be shown before such application can be allowed.

Media

08.04.2025

The **Jammu & Kashmir and Ladakh High Court** has notified the Video Conferencing (Nyaya Shrutu) Rules, 2025 as a major leap towards digitizing the judicial process. The Rules aim at revolutionizing the way trials, inquiries, and other judicial proceedings will be conducted in the Union Territories.

Motor Vehicle

09.04.2025

The **Supreme Court** has slammed the Central Government for failing to frame a scheme for cashless treatment of road accident victims immediately after an accident as required under Section 162(2) of the Motor Vehicles Act, 1988.

Motor Vehicle

02.04.2025

The **Karnataka High Court** directed bike taxi aggregators, including Rapido, to cease their operations in the state within six weeks.

08.04.2025

The **Supreme Court** has observed that Insurers can use 'Pay & Recover' if driver lacks required endorsement to transport hazardous substances under Rule 9 of CMV Rules.

Goods & Service Tax

08.04.2025

The **Delhi High Court** has held that a personal hearing can be waived only if the assessee's rectification application is accepted, not when it is being rejected.



International Updates

Banking

Active Super to pay \$10.5 million penalty for misleading environmental credentials

The Federal Court of Australia has imposed a pecuniary penalty of ten and a half million Australian dollars on LGSS Pty Limited acting as trustee for the Active Super fund for providing false or misleading information regarding its environmental, social, and governance credentials. The decision, made following allegations under the Australian Securities and Investments Commission Act 2001 regarding sections Twelve-D-B One subsection (a) and Twelve-D-F One, marks the regulator's third successful enforcement action against greenwashing. Active Super contended either that the disputed representations were never made in trade or commerce or that, if made, they were based on reasonable grounds concerning future developments. The judgment reinforces the Australian Securities and Investments Commission's resolve in combating misleading environmental claims and sends a strong message to all market participants about the accuracy of public disclosures.

Energy & Natural Resources

Consultation requirements expanded for offshore wind project development

The revised Offshore Electricity Infrastructure Regulations now require extensive and meaningful consultation throughout the development stages of wind energy projects in Australian waters. Proponents of such projects must engage a broad range of stakeholders including First Nations peoples and relevant community groups, particularly during the drafting of management plans and the establishment of safety zones around critical infrastructure. The updated regulatory framework outlines clear procedures to identify appropriate consultation parties and establishes the criteria that define what constitutes adequate consultation. These measures are designed to improve the planning process and ensure more inclusive stakeholder participation in the offshore wind sector.

Environment & Climate Change

New permanent chemicals ban set to come into effect from 1 July 2025

Australia is set to enforce a new ban on the import, export, use, and manufacture of three persistent per- and polyfluoroalkyl substances, namely perfluorooctane sulfonate, perfluorooctanoic acid, and perfluorohexane sulfonic acid. Classified as Schedule Seven under the Industrial Chemicals Environmental Management Standard Register, these chemicals have been identified as posing a high risk of causing severe environmental damage. The ban, effective from 1 July 2025, is aimed at reducing pollution due to the chemicals' persistence in the environment and their tendency to accumulate in living organisms and humans. Businesses handling these substances are urged to adjust their operations promptly to comply with the new legal requirements.

Healthcare & Life Sciences

Sandoz's biosimilar natalizumab receives first approval in Australia

Australia's Therapeutic Goods Administration has approved Sandoz's Tyruko, a biosimilar of natalizumab, marking a historic first for biosimilars in the country. Delivered as a 300 milligram per 15 millilitre concentrate for infusion, the product is indicated as monotherapy for patients with relapsing remitting multiple sclerosis. The approval, reached after rigorous clinical evaluation to confirm the product's equivalence to Biogen's Tysabri, opens a new chapter in treatment options for multiple sclerosis. Discussions regarding reimbursement by the Pharmaceutical Benefits Advisory Committee are ongoing. This milestone emphasizes Australia's commitment to supporting innovative biosimilar treatments that can enhance patient access and care.

Insurance

High Court clarifies requirements for setting aside historical settlement agreements

High Court of Australia has outlined the legal framework governing the setting aside of historical settlement agreements, particularly in cases involving claims of child abuse. The decision emphasized that while defenses such as the Ellis defence and statutory limitation periods are relevant, they do not alone justify the revisiting of a settlement. Claimants must provide concrete evidence demonstrating that their settlement decisions were directly influenced by past legal obstacles. The interpretation of section Twenty-Seven-Queue-EE of the Limitation of Actions Act 1958 (Victoria) has established an expansive yet rigorous approach to reexamining these settlements, thereby impacting future proceedings and the legal certainty of past abuse claims.

High Court targets claim approaches in construction and building disputes

Recent High Court decisions have shed light on the legal strategies related to construction and building disputes, particularly those involving liability issues and the application of proportionate liability principles. One notable case saw a reversion to joint and several liability for residential construction issues involving non-delegable building work in the wake of statutory reforms initiated by the Ipp Report. The court's rulings have provoked discussions about ongoing reforms in Victorian building liability and potential modifications to warranty protections. These decisions are critical for underwriters and legal professionals as they navigate the evolving landscape of construction law and insurance coverage, especially in the context of housing affordability challenges.



Energy & Natural Resources

Ontario minister of energy and mines seeks to extend procurement restriction policy to public energy procurements

The Ontario Minister of Energy and Mines has sent a formal letter to both the Ontario Energy Board and the Independent Electricity System Operator, urging them to implement the existing Procurement Restriction Policy in all energy-related procurements. This directive aims to prevent United States businesses, as defined by the policy based on headquarters location and employee count, from participating in invitational, open competitive, and non-competitive energy procurement processes. The policy extension is a response to tariffs imposed by the United States federal government that are anticipated to adversely affect Ontario's economy. By clarifying the scope of eligible suppliers and enforcing consistent rules in the energy sector, the ministry seeks to protect local market integrity and ensure fair competition in public energy projects.



Banking

People's Republic of China amends anti-money laundering law to include non-financial institutions

The Standing Committee of the National People's Congress of the People's Republic of China has enacted amendments to the nation's Anti-Money Laundering Law. The new amendments extend the scope of the law to encompass specific non-financial institutions such as real estate developers, intermediary service providers for real estate transactions, accounting firms, law firms, and notarial agencies, among others. Effective from January 1, 2025, these measures require the designated entities to observe anti-money laundering obligations comparable to those imposed on traditional financial institutions, adjusted appropriately for industry-specific circumstances. The move is aimed at closing regulatory gaps and enhancing financial system integrity by ensuring comprehensive due diligence across a broader range of sectors.

China's first artificial intelligence generated picture copyright infringement case is landmark ruling

The Beijing Internet Court recently delivered a pioneering judgment in what is recognized as the People's Republic of China's inaugural copyright case involving an artificial intelligence-generated picture. The court determined that the image, produced by processing a text-based prompt via an artificial intelligence model, embodied sufficient originality resulting from human intellectual input to merit copyright protection. This decision has set an important legal precedent, providing critical guidance for future intellectual property disputes concerning artificial intelligence. Recognized as one of the top cases of 2024 by the Supreme People's Court, the judgment underscores the evolving legal landscape amid technological advancements and is expected to inform legislative efforts in artificial intelligence regulation in the coming year.

Patents

China issues new regulation to resolve foreign-related intellectual property disputes

The State Council of the People's Republic of China has introduced a set of eighteen regulatory provisions aimed at standardizing the resolution of intellectual property disputes with foreign elements. Effective from May 1, 2025, the new regulations establish streamlined administrative procedures for handling international intellectual property cases, including provisions for serving documents, evidence collection within China, and cross-border sharing of information. The framework also outlines measures against foreign entities that fail to grant national treatment or sufficient intellectual property protection to Chinese citizens and organizations. This initiative is designed to support domestic enterprises in their efforts to expand internationally while ensuring that disputes are resolved efficiently and in alignment with global standards.

EUROPEAN UNION

Capital Markets

EFRAG launches public consultation on European sustainability reporting standards revisions

In connection with proposals under the Corporate Sustainability Reporting Directive Omnibus, the European Financial Reporting Advisory Group has initiated a public consultation to revise the European Sustainability Reporting Standards. The European Commission has signalled its intention to streamline the existing standards by reducing mandatory data points, favoring quantitative measures over narrative descriptions, and clearly separating compulsory reporting items from those that are voluntary. These revisions are aimed at increasing both the clarity and legal certainty for undertakings, thereby easing the reporting burden and aligning the standards with other European Union legislation. The consultation also seeks to refine the guidelines for applying the materiality principle, ensuring that only information of genuine importance is disclosed. The initiative reflects a broader effort to improve the interoperability of European sustainability reporting with global standards while maintaining high transparency and accountability levels.

HONG KONG

Financial Crime

Fighting financial crime conference 2025 held under the theme of fighting financial crime in a more complex world

At the APAC Fighting Financial Crime Conference 2025, held under the theme of combating financial crime in an increasingly complex environment, Mr. Raymond Chan, the Executive Director of Enforcement and Anti-Money Laundering at the Hong Kong Monetary Authority, shared significant insights into the sector's challenges and initiatives. In a related development, the Hong Kong Monetary Authority had previously reached out to the industry in September 2024 to evaluate the effectiveness of existing anti-money laundering

and counter-financing of terrorism technologies, including the potential role of artificial intelligence. The authority is currently reviewing feasibility studies and action plans submitted by banks and has announced plans to engage an external consultant to develop a comprehensive data analytics solution. This solution is expected to generate actionable insights from payment data in collaboration with law enforcement and industry stakeholders. These measures underscore the region's commitment to advancing its financial crime prevention capabilities.

Capital Markets

Securities and futures commission restarts publication of enforcement reporter with AI-powered market scanning

The Securities and Futures Commission in Hong Kong has resumed the publication of its Enforcement Reporter, now featuring a cutting-edge artificial intelligence-powered market scanning detection model. This new model is designed to proactively identify governance red flags and facilitate early intervention by boards and audit committees. The updated publication addresses a range of enforcement-related issues and provides enhanced insights into market behaviour, ultimately promoting a more robust framework for risk management and compliance. The reintroduction of the Enforcement Reporter with technological enhancements reflects the commission's commitment to leveraging innovation to safeguard market integrity and improve transparency.

Banking

Hong Kong monetary authority and Bangko Sentral NG Pilipinas hold bilateral meeting in the Philippines

Officials from the Hong Kong Monetary Authority and the Bangko Sentral ng Pilipinas convened for a bilateral meeting in the Philippines with the aim of deepening cooperation across various facets of central banking. The meeting, led by Mr Eddie Yue of the Hong Kong Monetary Authority and Dr Eli M. Remolona, Jr. of the Bangko Sentral ng Pilipinas, covered topics such as capital market development, digital payments and connectivity, digital banking, and sustainable finance. Discussions also touched upon the evolution of the bond market, the establishment of multilateral digital payment projects, cybersecurity risk management, and consumer protection initiatives. The participants shared insights to foster closer collaboration and to develop strategies in response to emerging challenges in the financial sector. This exchange of views marks a significant step toward regional integration and innovation in central banking practices.

MALAYSIA

Capital Markets

Securities commission issues new guidelines on offer of shares by unlisted public companies

The Securities Commission Malaysia has released a new set of guidelines governing the offer of shares by unlisted public companies, which took effect immediately on 28 March 2025. These new regulations replace the previous guidelines that were designed for sophisticated investors and had been in place, with updates made in February 2024. According to the Securities Commission Malaysia's media release, this reform is part of broader market and regulatory changes aimed at enhancing investor protection and maintaining market integrity. The updated framework addresses longstanding concerns regarding the quality of information and the standard of disclosure in information memoranda, thereby helping investors make better-informed decisions. The commission's proactive approach reflects its commitment to increasing transparency and trust in the capital markets.

NEW ZEALAND

Banking

New consumer credit bill aims to foster more balanced consumer credit market

The New Zealand Government has introduced a comprehensive bill intended to modernize the regulation of the consumer credit market to benefit both consumers and creditors. Known as the Credit Contracts and Consumer Finance Amendment Bill, the proposed changes include transferring regulatory responsibility from the Commerce Commission to the Financial Markets Authority. In addition, the bill introduces a licensing regime and refines rules related to disclosure failures. Introduced on 31 March 2025, the legislation seeks to create a more balanced, fair, and transparent credit market that reflects the evolving needs of all market participants. This initiative represents a significant step forward in the country's ongoing regulatory reform efforts.

SINGAPORE

Capital Markets

Monetary authority proposes long-term investment fund framework for retail access to private markets

The Monetary Authority of Singapore has published a consultation paper outlining a new regulatory framework that would enable retail investors to participate in private market investments through authorized long-term investment funds. The framework proposes two distinct models: a direct fund structure that directly invests in private assets and a long-term investment fund-of-funds that primarily invests in other private market funds. The proposed rules include enhanced requirements for fund managers, product standards, and disclosure procedures to ensure that investor protection is not compromised. This initiative is aimed at broadening investment opportunities while maintaining a robust regulatory framework. The proposal represents a strategic effort to balance market innovation with investor safeguards.

SOUTH KOREA

Healthcare And Life Sciences

Samsung Bioepis' denosumab biosimilar approved in South Korea

The Samsung Bioepis received regulatory approval in South Korea for its denosumab biosimilar, marketed under the brand name Obodence. This approval marks the company's tenth biosimilar to gain authorization within the country, following previous approvals for products such as Epyztek, Afilivu, and Episcli. Notably, Samsung Bioepis had already secured approvals for its denosumab biosimilars in the United States and Europe earlier in February 2025, where the products are marketed under different trade names. Meanwhile, in August 2024, Amgen initiated patent infringement proceedings in the United States under the Biological Product Competition and Innovation Act against Samsung Bioepis regarding these products. The approval in South Korea is a significant milestone in the ongoing competitive landscape of biosimilar pharmaceuticals and demonstrates the company's expanding international presence.

THAILAND

Banking

Bank of Thailand project nexus partners incorporate NGP to run cross-border payment scheme

The Bank of Thailand, together with its regional partners including the Reserve Bank of India, Bank Negara Malaysia, Bangko Sentral ng Pilipinas, and the Monetary Authority of Singapore, has officially incorporated Nexus Global Payments in Singapore. This development is aimed at operationalising and managing a multilateral, instantaneous cross-border payment scheme that will facilitate international financial transactions. Nexus Global Payments is now initiating a procurement process to appoint a Nexus Technical Operator, who will be responsible for both the technical development and the day-to-day operations of the scheme. This initiative reflects a strong regional collaboration and is expected to enhance the efficiency and speed of cross-border payments, ultimately benefiting a broad range of financial market participants.

USA

Agriculture

APHIS evaluates petitions reviewed under 2012 process and will use process consistent with United States Department of Agriculture biotechnology regulations going forward

The United States Department of Agriculture's Animal and Plant Health Inspection Service announced modifications to its review process for petitions concerning modified organisms produced through genetic engineering. Previously, under a 2012 process, APHIS used a dual Federal Register notice system to initiate public comment on environmental assessments for such petitions. After evaluating thirty-four petitions and noting that the initial comment period did not significantly affect their scoping, APHIS will now issue a single Federal Register notice that commences a sixty-day public comment period. Once this period concludes, the agency will review all feedback and complete its evaluation documents in accordance with existing United States Department of Agriculture biotechnology regulations. This change is intended to streamline the review process and enhance regulatory efficiency while maintaining public transparency.

Farm to fly Act reintroduced in Congress would expand use of biofuels for aviation

A group of senators from both political parties reintroduced the Farm to Fly Act in the United States Senate, aiming to accelerate the development and utilization of sustainable aviation fuel. The proposed legislation seeks to clarify eligibility under existing United States Department of Agriculture bio-energy programs to create new markets for American agricultural products. It also advocates for increased collaboration across different agency mission areas and enhanced private sector partnerships. According to a press release issued on January 21, 2025, the bill would establish a uniform definition of sustainable aviation fuel to ensure American crops contribute effectively to renewable fuel production. This legislative effort is designed to open up new economic opportunities for farmers while supporting the nation's renewable energy goals in aviation.

Banking

CFPB plans to reopen Section 1071 small business lending rule

The United States Consumer Financial Protection Bureau announced its intention to revisit the small business lending rule established under Section 1071 of the Dodd-Frank Act. In response to persistent opposition from financial institutions nationwide, the agency supported the Revenue Based Finance Coalition's motion to delay the compliance deadline for data collection and reporting requirements related to small business loan applications. The Bureau confirmed that its new leadership is set to initiate a fresh rulemaking process, which may resolve ongoing litigation and address concerns voiced by the banking community. This initiative is part of a broader effort to ensure that the regulatory framework governing small business lending remains fair, transparent, and responsive to market needs.

Cryptocurrency Regulation

United States Justice Department shuts its dedicated crypto enforcement team

The Deputy Attorney General Todd Blanche of the United States Department of Justice issued a memorandum that resulted in the immediate disbandment of the National Cryptocurrency Enforcement Team. Established in 2021 to combat criminal misuse of digital assets, the team included prosecutors with specialized expertise in cybercrime, money laundering, and forfeiture. The decision is part of a significant policy shift under the Trump administration, aimed at curtailing what it terms the regulatory weaponization of digital asset markets. This restructuring is expected to reshape the Department's approach to enforcing laws related to cryptocurrencies while streamlining its overall enforcement priorities in the digital domain.

Capital Markets

SEC division of corporation finance declares certain United States dollar-backed stablecoins are not securities

On April 4, 2025, the Division of Corporation Finance of the United States Securities and Exchange Commission released a statement clarifying that specific stablecoins, which are designed to maintain a fixed value relative to the United States Dollar, do not qualify as securities under federal securities laws. This determination is part of an effort by the Trump

administration to create clearer regulatory guidelines for digital assets while fostering the development of legitimate dollar-backed stablecoins. Although the statement does not address all types of stablecoins, it provides much-needed clarity for market participants in the digital finance sector. The announcement is likely to prompt further legislative and regulatory discussion as both Congress and the Securities and Exchange Commission work towards a comprehensive framework for digital asset regulation.

House Financial Services Committee urges SEC withdrawal of 14 proposed and final rules

The United States House Financial Services Committee sent a formal letter to the acting Chair of the United States Securities and Exchange Commission, Mark Uyeda, calling for the complete withdrawal of fourteen rules that were either proposed or finalized under the previous administration of Chair Gary Gensler. The Committee argued that these rules, which span issues ranging from cybersecurity risk management and short activity reporting to conflicts associated with predictive data analytics and regulatory systems compliance, undermine the attractiveness of United States capital markets for both current and prospective public companies. The letter detailed each rule by linking them to their respective release documents and stressed the need for a review to restore confidence in market practices. The Committee's recommendation reflects its broader objective of fostering a regulatory environment that promotes transparency and fairness for market participants. Its call to repeal these measures is intended to remove unnecessary barriers and bolster the competitiveness of the American capital market.

First Circuit reverses SEC win in \$93 million investment adviser disclosure case

On April 1, 2025, the United States Court of Appeals for the First Circuit overturned a summary judgment that had favored the Securities and Exchange Commission by imposing sanctions worth ninety-three million dollars on the registered investment adviser Commonwealth Equity Services, LLC. The reversal centered on rejecting the district court's assumption that the firm's disclosures regarding revenue-sharing arrangements were inherently material to every investor. The appellate court found that additional detail in the firm's disclosures would not have materially altered the overall information available to clients, emphasizing that the significance of such information varies among different investors. Moreover, the court criticized the methodology used to calculate the disgorgement, particularly the failure to establish a direct causal link between the alleged inadequate disclosures and the profits in question. This decision underscores the importance of demonstrating specific investor harm before enforcing broad financial penalties and redefines the evidentiary standards applicable in similar cases.

U.S. Securities and Exchange Commission votes to drop defense of climate disclosure rules

The United States Securities and Exchange Commission decided to abandon its longstanding defense of climate disclosure regulations that require public companies to report on climate-related risks and greenhouse gas emissions. These Climate Disclosure Rules, which were initially adopted on March 6, 2024, mandated detailed reporting on direct and indirect emissions, risk mitigation strategies, and related expenditures. The Commission's vote to cease defending these rules marks a significant policy pivot, reflecting mounting public comments and evolving regulatory priorities under the current administration. This shift is expected to streamline corporate reporting by focusing on material environmental data rather than expansive disclosure requirements. The change may also prompt companies and regulators to re-examine the balance between comprehensive climate risk disclosure and the administrative burden placed on public companies.

Company & Commercial

Delaware amends Delaware general corporation law section 144 to add safe harbors for interested and controlling stockholder transactions

The Governor of Delaware signed amendments to Section 144 of the Delaware General Corporation Law that introduce legislative safe harbors for certain transactions involving interested parties and controlling stockholders. The revised law now provides explicit protection for boards of directors and controlling stockholders when engaging in three defined categories of transactions: interested transactions, controlling stockholder transactions (excluding going-private transactions), and transactions involving going-private situations. By falling within these safe harbors, the involved parties can limit or avoid litigation, provided that the transaction complies with the new legislative framework. The amendments also offer clear definitions for what constitutes a controlling stockholder and outline the criteria for disinterested directors. If a transaction falls outside these boundaries, the parties must demonstrate that it is entirely fair to the corporation and its shareholders, meeting what has traditionally been considered Delaware's most rigorous standard of "entire fairness." This legal update is widely viewed as a significant development in corporate governance, offering a degree of certainty for directors and major shareholders.



Competition And Antitrust

UK approves Amex Global Business Travel merger, but Department of Justice suit forces pause

On March 6, 2025, the Competition and Markets Authority in the United Kingdom granted its approval for the merger between American Express Global Business Travel Group and Carlson Wagonlit Travel, a decision that came with a revised valuation of five hundred and forty million dollars. However, the merger has been delayed indefinitely following a lawsuit brought by the United States Department of Justice Antitrust Division, which argues that the consolidation would harm competition in the corporate travel management sector. The United Kingdom's regulator approved the deal based on its assessment that the merger would enhance service offerings across the industry, yet concerns raised by the Department of Justice have forced Amex Global Business Travel to postpone the final closing until the end of the year.

Department of Justice task force seeks to root out anticompetitive regulations in transportation industry

The United States Department of Justice Antitrust Division announced the formation of a new task force aimed at identifying and eliminating unnecessary regulatory barriers that impede competition, particularly within the transportation and energy sectors. The task force is charged with reviewing both state and federal regulations and has opened a public comment period that will extend for sixty days, ending on May 26, 2025. Its mission is to pinpoint regulatory measures that place undue burdens on competition and to propose revisions that would stimulate a more dynamic market environment. This initiative follows

executive orders issued earlier in the year by President Trump, which directed federal agencies to lessen the regulatory burdens imposed on American businesses and to prioritize economic growth. By targeting anticompetitive regulations, the Department of Justice aims to facilitate a more efficient and entrepreneurial economic landscape that benefits small businesses and the broader marketplace.

Banking_

Payment systems regulator consults on remedies to improve card scheme and processing fees

The Payment Systems Regulator in the United Kingdom has issued a consultation paper— Consultation Paper 25/1—seeking input on a series of proposed remedies designed to address issues identified during its market review of card scheme and processing fees. The proposals aim to provide merchants and acquirers with enhanced information regarding the fees charged by card schemes, while also ensuring improved regulatory financial reporting and pricing governance. Additionally, the proposals call for greater transparency with the publication of more detailed fee information to foster accountability. Stakeholders are invited to submit their responses by 28 May 2025. This consultative process is part of the regulator's broader efforts to ensure a fairer and more competitive payment services market that benefits all participants.

VIETNAM

Banking_

Sandbox expected to launch at Vietnam's financial center in 2026 – a golden opportunity for fintech investors

In line with its digital transformation and efforts to integrate more closely with global financial markets, Vietnam is preparing to introduce a regulatory sandbox in the banking sector, anticipated to be officially launched in 2026. This strategic initiative is designed to offer fintech companies a controlled environment in which they may test new products and services, complete with defined timelines and operational scopes. Recent reports indicate that the country now hosts over two hundred and sixty fintech enterprises, a marked increase from just thirty-nine in 2015. The draft decree narrows the focus to three high-potential areas for initial testing: credit scoring through artificial intelligence and big data, open application programming interface-based data sharing to boost open banking ecosystems, and platforms for peer-to-peer lending that directly connect borrowers with lenders. This development is seen as a significant opportunity for fintech innovation and investment within Vietnam's evolving financial landscape.

A yellow typewriter is shown from a top-down perspective on a yellow background. A sheet of white paper is inserted into the carriage. Three crumpled pieces of white paper are scattered on the surface below the typewriter. A vertical red bar is visible on the left side of the image.

Trending in **News**

Foreign Investment and the Rule of Law: Supreme Court Revives Criminal Proceedings in Hyeoksoo Son v. Moon June Seok



The Supreme Court, exercising its criminal appellate jurisdiction arising out of Special Leave Petition (Criminal) No. 6917 of 2024, (2025 INSC 474; MANU/SC/0466/2025) restored the criminal case against Moon June Seok, the former Chief Financial Officer of Daechang Seat Automotive Private Limited.

The case originated from allegations of financial fraud and misappropriation involving approximately ₹10 crore in connection with Goods and Services Tax (GST) payments. The charges, which include offenses punishable under Sections 406, 408, 409, 418, 420, and 120B read with Section 34 of the Indian Penal Code, 1860, were initially filed following investigations connected to a complaint registered in 2022 at the Sanjay Nagar Police Station in Bengaluru. A detailed chargesheet was later prepared, and the trial court took cognizance on April 6, 2023.

Subsequently, the High Court of Karnataka, in its judgment dated February 19, 2024, quashed the criminal proceedings on the basis that no prima facie evidence was available to frame a charge against the accused. The Court had observed that Seok's role appeared to be merely administrative, limited to forwarding bills for the Managing Director's approval. However, the appeal filed by Daechang Seat Automotive led the Supreme Court to reexamine the matter.

Legal Reasoning and Implications

In its judgment, the Supreme Court reaffirmed the fundamental principle that "the rule of law has a responsibility to protect the investments of foreign investors." The Bench, comprising of Hon'ble Justices Sanjay Karol and Ahsanuddin Amanullah, noted that given the large sums involved, it would be neither just nor reasonable to quash the proceedings at this preliminary stage. The Court specifically observed that aspects of Moon June Seok's own statement suggested the possibility of receipt of funds beyond mere administrative transfers, thereby providing a prima facie basis to conduct a trial.

Emphasizing the inherent powers under Section 482 of the Code of Criminal Procedure, 1973, the Court held that while every individual is entitled to be presumed innocent until proven guilty, any evidence indicating the mishandling of substantial funds warrants a full trial. In light of this, the Court set aside the impugned judgment of the Karnataka High Court and ordered the revival and restoration of the proceedings under Criminal Case No. 8373 of 2023. The parties are directed to appear before the III Additional Chief Metropolitan Magistrate, Bengaluru, on April 16, 2025.

From Debate to Law: The Waqf (Amendment) Act 2025

Waqf refers to permanent dedication of any movable or immovable property by any person for any purpose recognized by Muslim Law as pious, religious or charitable. India has been working towards the regulation of Waqf properties since 1954, when the first legislation was introduced. The laws laid the foundation for managing properties dedicated to religious or charitable purposes.

After much debate, the Waqf (Amendment) Act, 2025 got the President's assent on 5th April 2025. The Act aims to amend the Waqf Act, 1995, to address issues in the management of Waqf properties.

Key Highlights of the Waqf (Amendment) Act, 2025

- **Streamlining Waqf Properties:** Seeks to streamline Waqf property management while ensuring the safeguarding of heritage sites and individual property rights.
- **Rights of Muslim Women and Legal Heirs:** Aims to improve the economic and social status of Muslim women by promoting self-help groups (SHGs) and financial independence programs.
- **Upliftment of the Poor:** As Waqf plays a crucial role in serving social welfare needs, the Act intends to benefit the poor by digitizing Waqf properties for better monitoring.

