PLEA BARGAINING IN INDIA

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ABSTRACT

Another one of the most heinous difficulties facing the Indian judiciary is the backlog of cases, which accounts for almost three crores of cases. In order to deal with the backlog of cases, the legislature devised a groundbreaking technique known as plea bargaining. Plea bargaining is one of the most recent changes to the criminal code, having just been put into effect in 2006 as a result of the Criminal Law Amendment Act, 2005, which was passed in 2005. It has been approximately ten years since the notion of terrorism was first introduced into Indian criminal legislation. The purpose of this article is to examine the success of the concept in India by taking into consideration the provisions and judicial pronouncements that have been made in this regard. The article will also take a look at the American style of plea bargaining, which was pioneered by the United States. The paper will also analyse and contrast both the Indian and American models of plea bargaining in order to identify the flaws and merits of each model. An overview of the procedures involved in the American model of plea bargaining will be provided in this article, which has proven to be an extraordinarily effective and efficient technique in the past. As previously stated, the main purpose of this study is to examine the Indian model of plea bargaining in the context of the successful American model of plea bargaining. A significant portion of the work can be applied to make the Indian model of plea bargaining far more successful and effective in the legal system.

Keywords: *Indian model of plea bargaining, American model of plea bargaining, pendency of cases.*

1. INTRODUCTION

The most recent numbers indicate the appalling state of affairs in Indian courts when it comes to the pending of cases. According to the most recent data, there are more than three million cases outstanding in the courts nationwide. A significant percentage of the cases have been pending for approximately twenty years. The Chief Justice of India has expressed his displeasure with the pitiful state of the country's case backlog and has pledged to erase the backlog within five years of taking office. As a result, the backlog of cases in India is a major source of concern and is of paramount importance. Many high-profile criminal trials in India have been delayed to the point where the saying 'justice delayed is justice denied' has come to seem accurate as a result of the delays. A few examples of cases where justice was delayed beyond comprehension include the Uphaar Cinema fire case (1997), in which the decision was reached after eighteen years and the main accused walked free, the

Bhopal Gas tragedy (1984), in which the case went on for several years but the main culprit was never incarcerated, and the 1984 anti-Sikh riot case (1984), in which the accused remain at large and the victims continue to wait for restitution.

As a result, the legislative of our country devised a mechanism to deal with the backlog of cases while keeping these factors in mind. Although the notion of plea bargaining is not new in the global judicial landscape, it was only recently introduced in India in 2006. The Criminal Procedure Code was revised, and a new chapter XXI A was incorporated into the code by the Amendment Act of 2005, which contained rules relating to plea negotiations. Since the groundbreaking plea bargaining option was implemented into the Indian criminal procedure statute ten years ago, the country has seen significant progress. The purpose of this study is to evaluate the success of the concept of plea bargaining in India when it was first introduced in the country. The work has employed a straightforward doctrinal technique of investigation and will concentrate on the case laws, articles, and legislation that have been presented relevant to plea bargaining in India. The work will also provide some recommendations, if any, to help plea bargaining become a more successful method for dealing with the backlog of cases that are currently pending. Following a brief history of plea bargaining as a global idea, the essay will analyse the model of plea bargaining that is appropriate in India by delving into the merits and drawbacks of plea bargaining in the country.

1.1 BRIEF HISTORICAL BACKGROUND OF PLEA BARGAINING

The rise of plea bargaining is commonly attributed to the nineteenth century, but it actually stretches back hundreds of years to the introduction of confession law and has most likely existed for over eight centuries. Shortly after the Civil War, there was an inflow of plea bargaining cases at the appellate level in the United States. Various courts summarily rejected these deals and allowed the defendants to withdraw their confessions, citing previous confession precedent banning the providing of incentives in exchange for admissions of guilt. However, these early American appellate decisions did not prevent American courts from taking a plea negotiating method. While corruption kept plea bargaining alive in the late 19th and early 20th centuries, over criminalization forced its incorporation into standard criminal process and eventual domination. Between 1908 and 1916, the percentage of federal convictions resulting from guilty pleas increased from 50% to 72%. Despite the fact that plea bargaining rates increased dramatically in the early twentieth century, appellate courts were still wary of approving such arrangements when they were challenged.

The adversarial system's complexity made obtaining a conviction in a criminal case a difficult undertaking, resulting in unjustified delays. The phenomenon of plea bargaining arose as a result of

the inadequate justice system and the delays in criminal prosecutions. Plea bargaining not only brought a sigh of relief to the accused who had been languishing in prison for years due to a lack of justice, but it also proven to be a time and cost effective means for the legal system to speedily resolve criminal cases.

In the United States, plea bargaining, sometimes known as negotiated pleas, is used to achieve an overwhelming rate of around 95 percent of criminal convictions. Plea bargains account for over 92 percent of convictions in England and Wales. Only 14.3 percent of cases in British crown courts go to trial, with the rest opting for a plea deal.

In 1970, the American Supreme Court supported the practise in Bradley V. United States. In various versions, the practise is likewise being implemented in other common law and civil law jurisdictions.

As previously stated, plea bargaining is a very new idea in India, having only been introduced in 2006. Later in the article, a full analysis of the Indian form of plea bargaining will be discussed. **Figure 1** depicts a timeline of plea bargaining history.

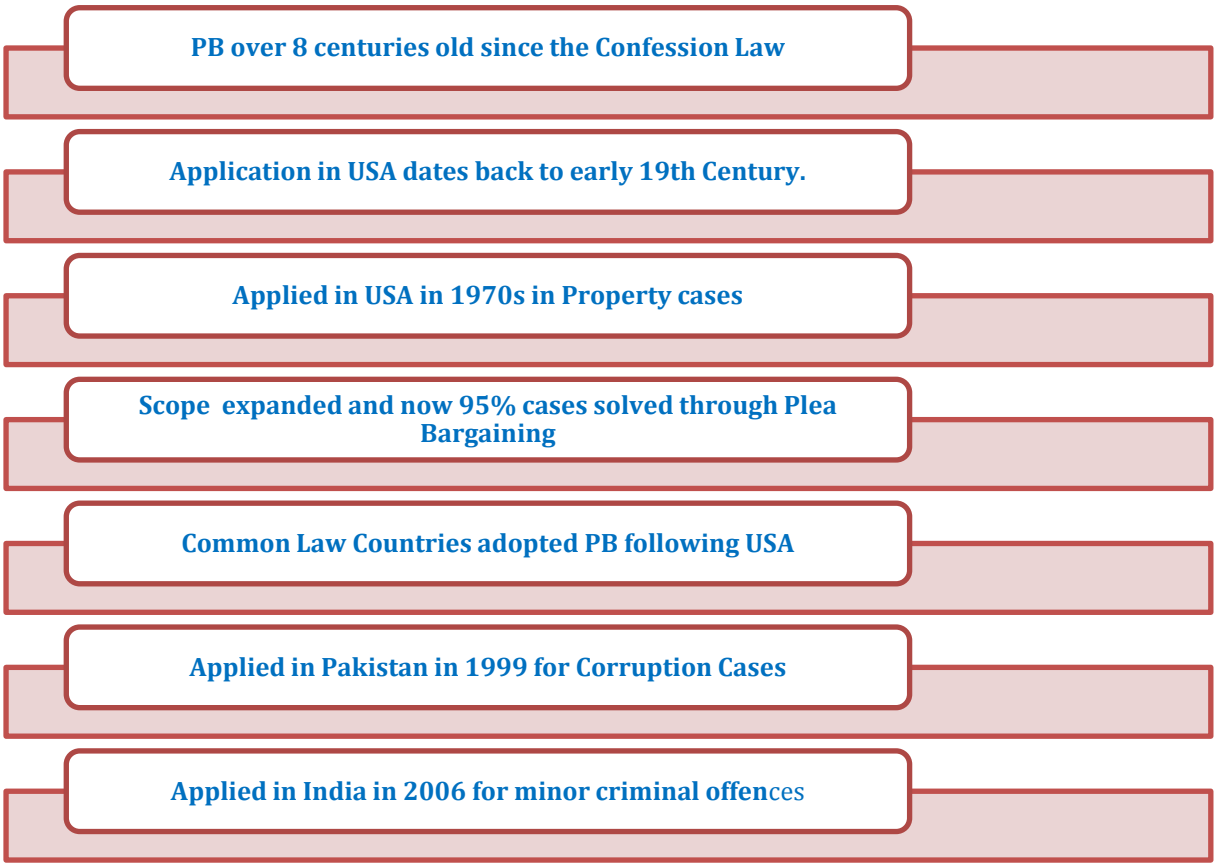

Fig. 1- A brief overview of the history of plea bargaining as a worldwide idea.

1.2 CHARACTERISTICSOF THE MODEL OF PLEA BARGAINING APPLICABLE IN UNITED STATES

As previously stated, the United States of America was a pioneer in bringing plea bargaining to the public's attention. The plea bargaining model in use in the United States of America encompasses a wide range of offences. In total, plea bargaining is used to resolve about 90% of cases in the United States. Surprisingly, there are relatively few restrictions governing the use of plea bargaining, either at the state or federal level, and nearly anything goes in plea negotiating cases. In other words, the United States does not place any restrictions on the kind of cases that can be plea bargained, allowing it to be done for minor infractions all the way up to the most serious offences, including those that could result in the death penalty. In general, a guilty plea must be informed and voluntary.

This means that a defendant must be aware of the following:

- What he is doing in agreeing to a plea bargain
- He has to agree to accept the plea deal
- The acceptance should not be due to physical coercion or prosecutors promising a deal and then changing the terms after the defendant has agreed and entered a plea of guilty.

There are also procedures for filing guilty pleas in court, including which rights a defendant must waive and how the plea should be filed. A defendant, for example, must indicate on the record that he or she understands they are giving up their right to a trial.

For all intents and purposes, there are no standards governing how pleas are reached. Prosecutors and defence attorneys must adhere to an ethical code of conduct, but these standards are often vague and do not specifically address plea bargaining. As a result, prosecutors in the United States have a lot of flexibility and authority when it comes to plea bargaining. They can agree to dismiss a case completely, dismiss charges, allow an alternative penalty like a fine or community service, or negotiate a settlement that includes a lot of time in prison.

It's crucial to distinguish between Plea Bargaining and Abbreviated Trial; the latter is frequently confused with the former. A truncated trial is one in which the defendant agrees to plead guilty to the crime he has committed. On a judgement of guilt, the Judge considers the evidence, including the defendant's guilty plea, and imposes a statutorily determined reduced sentence. The fundamental difference between an abbreviated trial and plea bargaining is that in the former, the law does not allow or require the prosecutor and the defence to negotiate the charge or the penalty. The criminal procedure statute specifies what sentence reduction is granted in exchange for a guilty plea and the

defendant's abandonment of his right to a full trial in abbreviated trials. Countries that allow for expedited trials typically limit its usage to less serious charges.

1.3 TYPES OF PLEA BARGAINS

Plea bargaining can mainly be classified into four types (Figure – 2),

Charge Bargaining: This is a well-known and commonly used method of plea bargaining. It entails a compromise on the charges or offences that the defendants will face at trial. A prosecutor would usually drop the higher or other charges counts in exchange for a guilty plea to a lesser charge. A defendant charged with burglary, for example, may be given the option of pleading guilty to attempted burglary. As a result, it's essentially a trade of concessions on both sides.

Sentence Bargaining: Sentence bargaining is when a defendant agrees to plead guilty to the full charge rather than a lesser charge in exchange for a lower sentence. It informs the prosecution of the need to go to trial and prove its case. It allows the defendant to receive a more lenient sentence. It is a procedure that was adopted in India, in which the accused, with the cooperation of the prosecution and the complainant or victim, bargains for a lesser punishment than the offence warrants.

Facts Bargaining: In exchange for an agreement not to enter certain additional facts into evidence, the prosecutor must admit to certain facts, which eliminates the need for the prosecutor to prove them.

Counts Bargaining: In this kind of bargaining, the defendant pleads guilty to a subset of multiple original charges.

Fig. 2- Types of Plea Bargaining

2. PLEA BARGAINING IN INDIA

2.1 BRIEF HISTORICAL BACKGROUND

The criminal amendment act of 2005 introduced plea bargaining in India. A new chapter XXI A has been introduced, which contains provisions relating to the plea bargaining procedure. From the application for plea negotiating through the bargains that a criminal may receive, sections 265 A to 265 L comprise the most basic elements.

In its 142nd, 154th, and 177th reports, the Law Commission of India proposed for the introduction of 'Plea Bargaining.' The Law Commission's 154th Report suggested that the new XXIA be inserted into the Criminal Procedure Code. The stated Report did, in fact, relate to the Law Commission's previous report, the 142nd Report, which detailed the basis for the concept, its effective implementation in the United States, and how it should be codified. The Report suggested that the concept be applied as an experimental measure to offences punished by a sentence of less than seven years in jail and/or a fine, such as those covered under Section 320 of the Code. Plea bargaining can also be done in terms of the nature and degree of the offences, as well as the severity of the sentence. It was pointed out that the facility should not be available to habitual offenders, those accused of serious socioeconomic crimes, or those convicted of crimes against women and children. The 154th Law Commission Report's advice was backed and restated by the Law Commission in its 177th Report. Furthermore, the United States' experience was proof of plea bargaining being a means of disposing of accumulated cases and accelerating the administration of criminal justice, according to the Report of the Committee on the Reform of the Criminal Justice System, 2000, chaired by Justice (Dr) Malimath.

2.2 PROCEDURE RELATED TO PLEA BARGAINING IN BRIEF

- Plea bargaining is open to anyone charged with a crime other than those punishable by death, imprisonment for life, or a sentence of more than seven years in jail, according to Section 265-A. The power to inform the Central Government is granted by Section 265 A (2) of the Code. The Central Government published Notification No. SO 1042 (II) on July 11, 2006, listing the offences that have an impact on the country's socioeconomic situation.

- Section 265-B envisages the accused filing an application for plea bargaining, which shall contain a brief description of the case relating to which such application is filed, including the offence to which the case relates, and shall be accompanied by an affidavit sworn by the accused stating that he has voluntarily preferred, after understanding the nature and extent of the punishment provided under the law for the offence, the plea bargaining in his case. The court will then send notice to the public prosecutor, the case's investigating officer, the victim,

and the accused, setting a date for the hearing. When the parties attend, the court will interview the accused in Camera, without the presence of the other parties in the case, to ensure that the accused has voluntarily submitted the application.

- Section 265-C lays forth the steps that the court must take in order to reach a mutually acceptable resolution. In a case brought on the basis of a police report, the court must give notice to the public prosecutor, the case's investigating officer, the victim, and the accused to attend a meeting to work out a suitable resolution of the case. The Court must give notice to both the accused and the victim of the case in a complaint matter.

- Section 265-D deals with the court's drafting of a report on the attainment or failure of a mutually satisfactory resolution. If an acceptable resolution of the issue is reached in a meeting under section 265-C, the Court shall write a report of such disposition, which must be signed by the presiding officer of the Courts and all other individuals who attended the meeting. If no such resolution has been reached, the Court shall record such observation and proceed in accordance with the provisions of this Code from the point at which the application under sub-section (1) of section 265-B was filed.

- When a satisfactory resolution of the issue has been worked out, Section 265-E outlines the method to be followed in disposing of the case. The Court must hear the parties on the quantum of the sentence or the accused's entitlement to release on probation for good behaviour or after admonition after the proceedings under S. 265 D are completed by preparing a report signed by the presiding officer of the Court and parties in the meeting. The court has the option of either releasing the accused on probation under S. 360 of the Code, the Probation of Offenders Act, 1958, or any other applicable legal rules, or punishing the accused by passing the sentence. If the law provides for a minimum punishment for the offences committed by the accused, the Court can pass a sentence of one-fourth of the punishment provided for such offence. If no such minimum punishment is provided, the Court can pass a sentence of one-fourth of the punishment provided for such offence. Aside from that, if a report prepared under S 265 D, report on mutually satisfactory disposition, contains a provision for giving compensation to the victim, the Court must also provide orders to pay such compensation to the victim.

- Section 265-F deals with the issuance of a judgement based on such a mutually agreed settlement.

- No appeal shall lie against such a ruling, according to Section 265-G.

- The court's powers in plea bargaining are addressed in Section 265-H. For the purposes of carrying out its functions under Chapter XXI-A, a court has all of the authorities given in it by the Criminal Procedure Code in regard to bail, trial of offences, and other matters relevant to the disposition of a case in such Court.
- Section 265-I applies Section 428 to the sentence imposed as a result of plea bargaining.
- Section 265-J contains a non obstante clause, which states that the chapter's provisions apply despite anything in the Code that is inconsistent with them, and that nothing in such other provisions shall be understood to contain the meaning of any provision of chapter XXI-A.
- The declarations or facts given by the accused in an application for plea bargaining shall not be used for any other reason than the purpose of the chapter, according to Section 265-K.
- In the case of any juvenile or child as described not Section 2(k) of the Juvenile Justice (Care and Protection of Children) Act, 2000, Section 265-L makes the chapter inapplicable.

3. FEATURES OF THE MODEL OF PLEA BARGAINING IN INDIA

The salient features of the Indian Model of Plea Bargaining are as follows:

- The accused person must take the initiative to move the legal machinery for negotiated pleas for only those offences for which the maximum punishment does not exceed seven years.
- The plea negotiating application must be filed in the court where the offence is being tried. This is where the Indian method differentiates from the American scheme, in which the application is filed jointly by the public prosecutor and the accused after the parties have completed their talks.
- The court must examine the accused in camera after receiving the application, and if the court is satisfied that the application was filed voluntarily, the victim, the accused, the public prosecutor, and the investigating officer, if the case is based on a police report, are given time to work out a mutually satisfactory disposition of the case, which may include the accused paying compensation to the victim and other expenses incurred during the case.
- The judge is not a bystander; he or she plays an important role in the proceedings. The court is in charge of ensuring that the entire process is carried out with the accused's complete and free consent. When an acceptable resolution of the case has been reached, the court is required to dismiss the case after paying compensation to the victim in accordance with the settlement and hearing the parties on the subject of penalty quantum. It must then impose the

sentence, which may range from one-fourth to one-half of the maximum penalty for the offence.

- The legislation also mandates that the verdict be delivered in open court. A condition in favour of the accused has been introduced, stating that the statement or facts made by an accused in a plea bargaining application will not be used for any other reason.

- In the instance of plea bargaining, the Court's verdict is final, and there is no right of appeal to any court against it.

- Section 265A states that plea bargaining is not available for offences punishable by more than seven years in prison, offences that affect the country's socioeconomic condition (as determined by the Central Government), or offences committed against a woman or a child under the age of fourteen years. In addition, the method is only available to first-time offenders.

The careful approach of the statute has been exposed after reading the aforementioned parts referring to plea bargaining. A variety of conditions related to India's plea bargaining model have limited it to criminals committing crimes punishable by a maximum sentence of seven years in jail, provided that the accused is not a minor and the crime committed by him is not socioeconomic in character. Though a proven effective approach in the west, it has completely failed to woo Indian masses, as evidenced by the judiciary's reaction, which is addressed below.

4. JUDICIAL RESPONSE TO PLEA BARGAINING IN INDIA

Even before the concept of plea bargaining was introduced, the Supreme Court expressed significant opposition to it. Though the Supreme Court's displeasure is not for the model that exists today because it did not exist at the time.

The case of Madanlal Ramchandra Daga vs. State of Maharashtra is a famous illustration of the court's traditional thinking, in which Justice M. Hidayatullah held that the matter should be settled on the basis of the convicted's guilt.

The accused in Murlidhar Meghraj Loya vs. State of Maharashtra were charged with selling contaminated food in violation of the Prevention of Food Adulteration Act, 1954. The Court has the impression that the accused entered a plea of guilty before the magistrate court in accordance with an informal tripartite agreement similar to that employed in the United States. Justice Krishna Iyer voiced his displeasure with the matter of agreement and simply stated that the system of plea

bargaining is not permitted under Indian criminal law. At the same time, the learned judge emphasised his support for plea bargaining and urged the legal community to give the proposal serious attention.

In Kachhia Patel Shantilal Koderlal v. State of Gujarat and Anr, the Supreme Court went a step further and deemed plea bargaining unlawful, claiming that it would lead to widespread corruption. As the case of Kasambhai v. State of Gujarat shown, the idea of plea bargaining in India is very open to manipulation.

In yet another instance, the Supreme Court handed down a major decision on plea bargaining, concluding that it violates Article 21 of the Constitution.

The Supreme Court's decision in State of Uttar Pradesh vs. Chandrika represents the culmination of the court's position in the previous case. The Supreme Court overturned the High Court's order enabling plea bargaining and reminded the public that such a concept does not exist in Indian criminal law.

The aforementioned cases paint a picture of what life was like before plea bargaining. As can be seen from a few of the examples listed below, when plea bargaining first appeared in the Indian legal system, the concept was welcomed with conflicting reactions from the judiciary.

In the case of State of Gujarat v. Natwar Harchanji Thakor, the Gujarat High Court stated that the very object of the law is to provide easy, cheap, and expeditious justice by resolving disputes, including criminal cases, and that, given the current realistic profile of the pendency and delay in the administration of law and justice, fundamental reforms are unavoidable. There should be no static in the environment. As a result, it can be claimed that it is truly a redress action that will bring a new dimension to the area of judicial changes.

"The trial court's rejection of the plea bargain shows that the learned trial court had not bothered to look into the provisions of Chapter XXI A of Code of Criminal Procedure meant for the purpose of plea bargaining and rejected the application on the ground that since the applicant is involved in an offence under section 120-B Indian Penal Code and the role of applicant was not less than the other co-accused," Honourable Judge wrote in Pardeep Gupta v. State. However, none of the offences for which the petitioner was charged resulted in a sentence of more than seven years in prison. The role of the accused, the nature of the offence, and other factors should all be examined when a plea negotiating proposal is made. The High Court ordered the trial court to review the accused's plea negotiating request in light of the Code of Criminal Procedure's requirements, rather than on an ad hoc basis.

The study of pre- and post-amendment decisions reveals that plea bargaining in the Indian criminal justice system is in poor shape, as the number of instances reported under plea bargaining is quite small.

It's interesting to note that prior to the Criminal Law Amendment Act of 2005, judges rejected all plea bargain cases. Although the situation has improved somewhat since 2005, the judiciary continues to take a mixed attitude to this important contribution to the Criminal Law Justice System, and it remains woefully underutilised by any standard, despite its relatively limited field of application.

5. A BRIEF COMPARISON OF THE INDIAN MODEL OF PLEA BARGAINING WITH AMERICAN MODEL

As can be seen from the examples given above, the Indian approach of plea bargaining is insufficient to handle the problem of outstanding cases. The Indian judiciary has yet to accept plea bargaining as a standard method of delivering justice. The issue with the Indian model is that the provisions appear to be introductory in character, as though the legislature wanted to put it to the test before releasing the comprehensive version. The Indian model has a number of riders that reflect the legislature's cautious attitude and have rendered plea bargaining an entirely failing notion in the Indian legal arena. An attempt has been made to compare the Indian model of Plea bargaining with the American model in order to determine where the fault in the Indian model resides, rendering it inefficient in attaining the purposes for which it was discovered.

The Indian model is conceptually significantly different from that of the United States. Plea Bargaining's application in India is limited, and it has yet to be embraced by the general public as a fundamental element of the Indian judicial system. The following is a basic comparison of the two models:

- A Plea is possible in India for offences punishable by up to 7 years in prison. The American approach does not limit the plea to specific offences; it can be used for any crime, including killing.
- When the victim is a woman or a kid under the age of 14, the plea is not available in India. Plea bargaining is not hindered by such riders in the American approach.
- The plea is not applicable to juveniles, persistent criminals, or offenders who commit socioeconomic offences, according to the Indian model. The American model accepts all cases and does not include any of the riders included in the Indian model.

- In a procedural comparison of the two models, the Indian model directs the accused to apply for a plea, but the American model directs the prosecutor and the accused to apply when the discussions between them are completed.
- Unlike the American model, where victims have limited authority to influence the terms of plea bargains, the Indian model of plea bargaining implies that the victim has the power to oppose the agreement made.

The comparison of the two models highlighted the American model's exhaustiveness. The Indian model is inclusive, but only certain circumstances can use it. Plea bargaining in India was adopted to solve the issue of case pending, however it has not been effective in addressing the issue. The preceding comparison with the American model may reveal the explanation. However, the fact that there are only a few cases accessible for plea bargaining shows the phenomenon's inefficiency. The American style of plea bargaining is not without flaws, but it is a realistic notion, as over 90% of cases in America are resolved by plea bargaining. The American model has been significantly more successful in using plea negotiations to relieve the judiciary than the Indian model. India is a newcomer to plea bargaining and needs a lot of work to reduce case pending times.

6. CONCLUSION

A careful look into Indian plea bargaining reveals the model's strengths and weaknesses. The Indian model has the advantage of having a more active judiciary than the American model. In India, the victim has the power to veto the deal, whereas in the US, the victim has limited leverage. The Indian form of plea bargaining has many disadvantages over the American model, which was the world's first and most successful. The Indian model's flaws have prevented it from achieving the desired goal. The paper aspires to become a food for thought for the juristic elite so that the plea bargain in India could improve and bring down the huge degree of pendency of cases.

It is not maintained that the American model should be adopted in its entirety, but that it should be modified to address the current court backlog figures. Since its inception in India ten years ago, the notion has achieved nothing remarkable. The lack of cases and judges' opinions on the matter show the plea bargaining's poor standing. Plea bargaining should be made as successful as in the west. Primarily, the law needs to be amended to meet Indian needs but also those of other successful countries.Second, the judiciary and juristic elite should encourage the law relating to plea bargaining so that it becomes a popular remedy. Plea bargaining law is important and should be practised routinely. Plea bargaining appears to be a near answer to the problem of pending cases in the courts, if given serious consideration.

REFERENCES

- Press Trust of India, New Delhi, Updated: April 5, 2015 9:54 pm,the Indian Express.
- John H. Langbein (1979): Understanding the Short History of Plea Bargaining, Faculty Scholarship Series, Paper 544. http://digitalcommons. law.yale.edu/fss_papers/54
- Aabhas Kshetrapal (2013): A DEVIATION FROM THE FORMER ADVERSARIAL TRIAL :THE CONCEPT OF PLEA BARGAINING AND ITS CONTEMPORARY RELEVANCE, BBA. LLB (Hons) Project, National Law University, Jodhpur, http://ssrn.com/abstract=2329501
- U.S. SENTENCING COMMISSION (2010): SOURCEBOOK OF FEDERAL SENTENCING STATISTICS, available at http://www.ussc.gov/Data_and_Statistics/Annual_Reports_and_Sourcebooks/2010/FigureC.pdf
- PLEA BARGAINING IN VARIOUS CRIMINAL JUSTICE SYSTEMS; Judge Peter J. Messitte∗ Montevideo, Uruguay May, 2010
- Hans Sachs (2014): Introducing Plea Bargaining in Post-Conflict Legal Systems, INPROL Research Memorandum: http://inprol.org/publications/13127/introducing-plea-bargaining-into-post-conflict-legal-systems
- K. V. K. Santhy (2013): Plea Bargaining in US and Indian Criminal Law Confessions for Concessions,
- http://www.commonlii.org/in/journals/NALSARLawRw/2013/7.pdf
- http://shodhganga.inflibnet.ac.in/bitstream/10603/28181/12/12_chapter%205.pdf – Chapter 5, Plea Bargaining in India
- K. T. Thomas (2011): Plea Bargain- a fillip to Criminal Courts, available on www.google.com
- S. Rai (2007): Law relating to Plea bargaining, 47 Orient Publishing Company, New Delhi, Allahabad
- Plea Bargaining – A New Concept: www.upslsa.up.nic.in
- Plea Bargaining- A New Development in the Criminal Justice System
- Posted on December 18, 2010 by Neeraj Aarora

- Neeraj Arora, *Plea Bargaining – A New Development in Criminal Justice System.*http://www.legallyindia.com/plea-bargaining-a-new-development-in-the-criminal-justice-system (2010)
- Madanlal Ram Chandra Daga vs. State of Maharashtra A.I.R 1968 SC 1267; Murlidhar Meghraj Loya vs. State of Maharashtra, A.I.R 1976 SC 1929; Ganeshmal Jahraj vs. State of Gujarat, A.I.R. 1980 SC 264; Thippaswamy vs. State of Karnataka, A.I.R 1983 SC 747; Kachchia Patel Koderlal vs. State of Gujarat, A.I.R 1980 SC 854; State of Uttar Pradesh vs. Chandrika, A.I.R 2000 SC 164.
- Thippaswamy vs. State of Karnataka, A.I.R 1983 SC 747