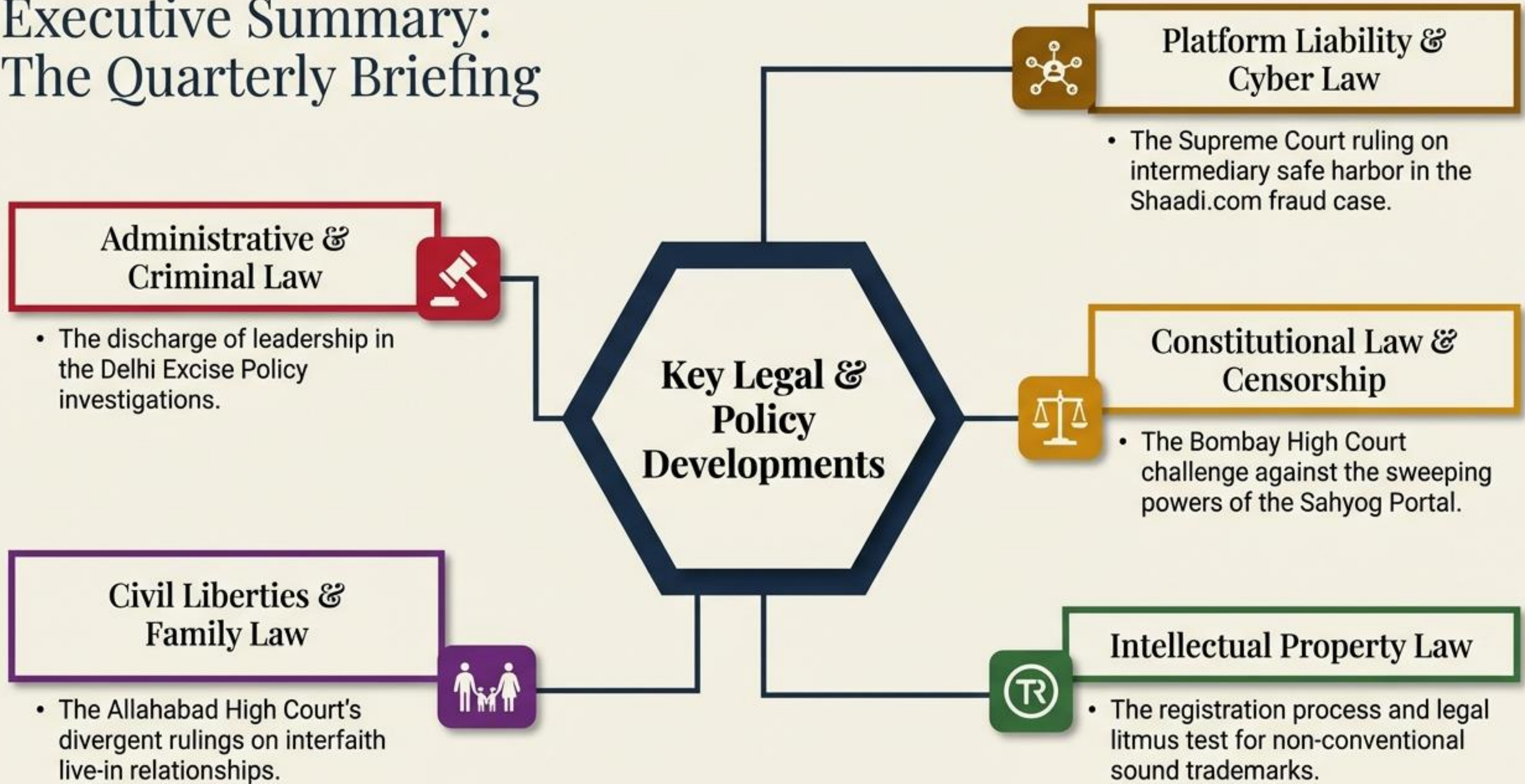


CLAT 2027 LEGAL CURRENT AFFAIRS



FEBRUARY REVISION

Executive Summary: The Quarterly Briefing



The Structural Overhaul of the Delhi Excise Policy (2021–22)

Old System

Mixed Retail Model

- Government-run outlets alongside private shops
- Strict, state-controlled pricing

Privatised Model (Nov 2021)

Government Exit

- Delhi Government fully exits retail sales.



Zonal Auctioning

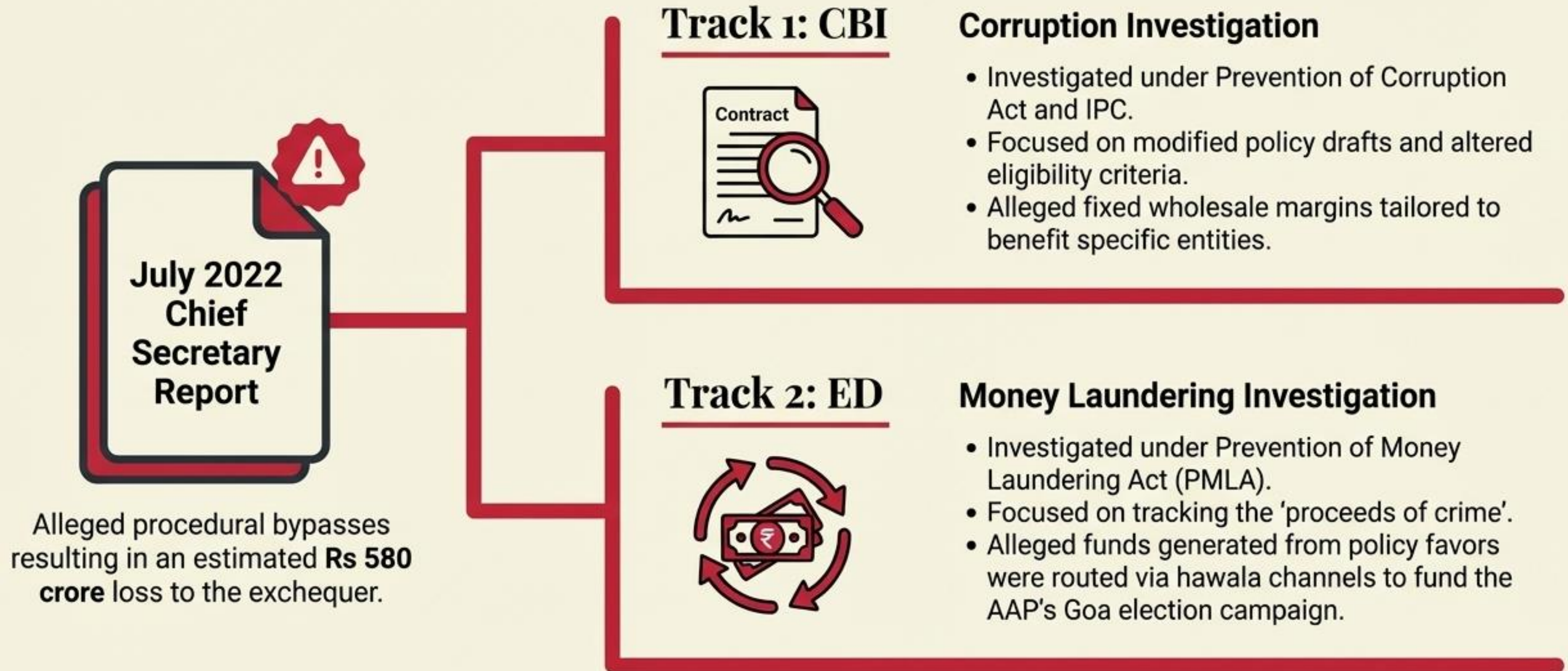
- City divided into licensed zones auctioned to private operators with commercial pricing flexibility.



Supply Chain Overhaul

- Manufacturers strictly barred from wholesale to prevent vertical integration.
- Retailers mandated to procure exclusively from independent wholesalers.

The Catalyst and the Resulting Parallel Investigations



The Judicial Discharge and the Predicate Offence Principle



The Verdict (Feb 27, 2026)

A Delhi Special Court discharged Arvind Kejriwal, Manish Sisodia, and 21 others in the CBI case.

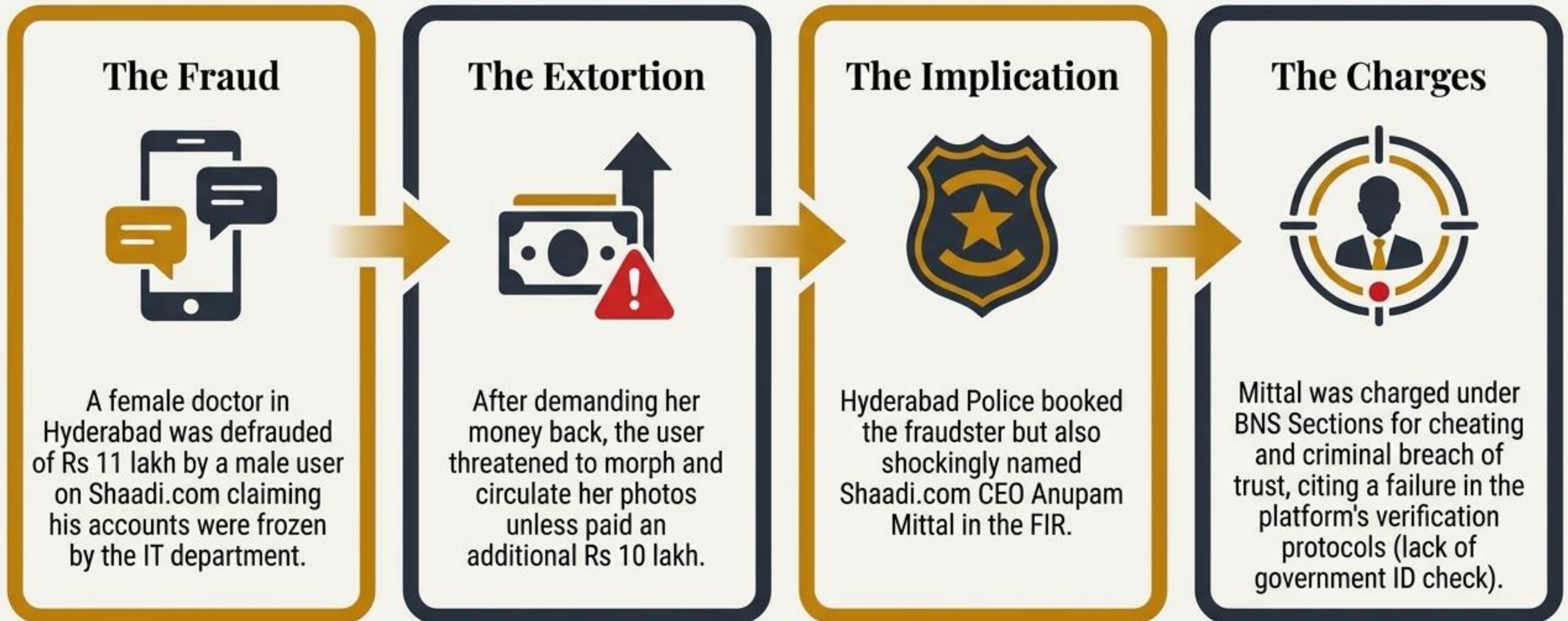
Judicial Reasoning

The court ruled the CBI chargesheet contained severe lacunae and gaps unsupported by direct evidence linking the accused to illegal gratification.

The Domino Effect on the ED Case

Under Indian law, a PMLA money-laundering prosecution requires a 'predicate offence' (the underlying crime generating illegal funds). The discharge in the CBI corruption case severely undermines the ED's parallel prosecution, as the legal foundation for the alleged 'proceeds of crime' has been dismissed.

Escalation of a Romance Scam to **Corporate Criminal Liability**



Evaluating Section 79 of the IT Act and the Limits of Intermediary Liability

The Intermediary Defense

Shaadi.com legally functions as an **'intermediary'**—a matchmaker hosting third-party data, not a direct participant in user interactions.

Section 79 Safe Harbor

This provision grants digital intermediaries immunity from legal liability for third-party actions, provided the platform observes due diligence.



Platform Arguments for Immunity

- Maintained explicit 'Be Safe Online' guidelines warning users against financial transfers.
- Actual financial transactions and fraudulent conversations occurred entirely off-platform (via WhatsApp and direct bank transfers).
- **Conclusion:** The platform cannot hold vicarious liability for off-site crimes committed by individual users.

The Supreme Court Mandates Strict Legal Scrutiny Over Mechanical Rulings

Telangana High Court's Procedural Approach



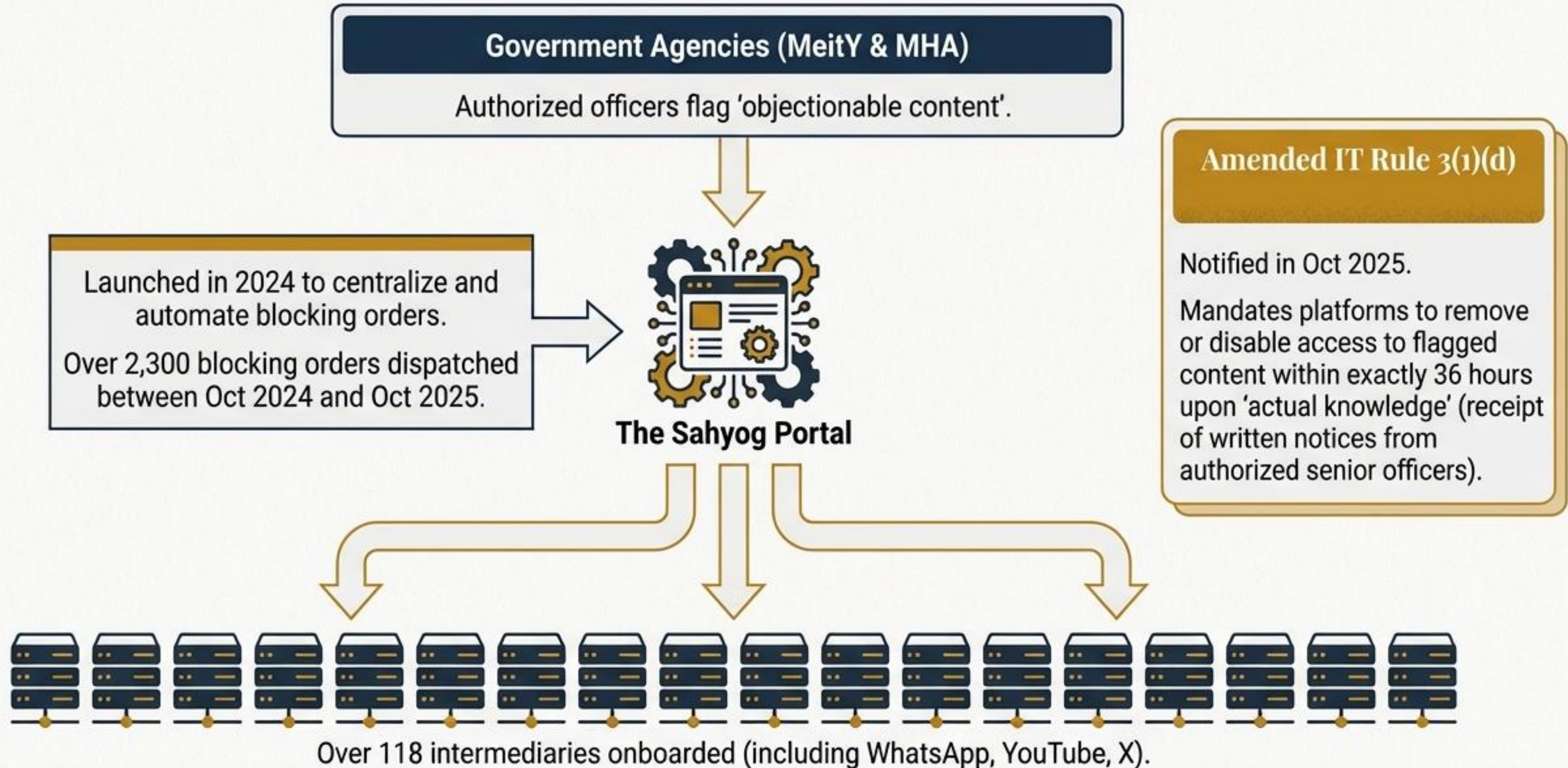
- Refused to actually quash the FIR against the CEO.
- Relied mechanically on the Arnesh Kumar guidelines.
- Noted the punishment was under 7 years, so simply directed police to issue a notice rather than arrest immediately.
- **Error:** Ignored the substantive question of whether a crime was even committed by the CEO.

Supreme Court's Substantive Correction

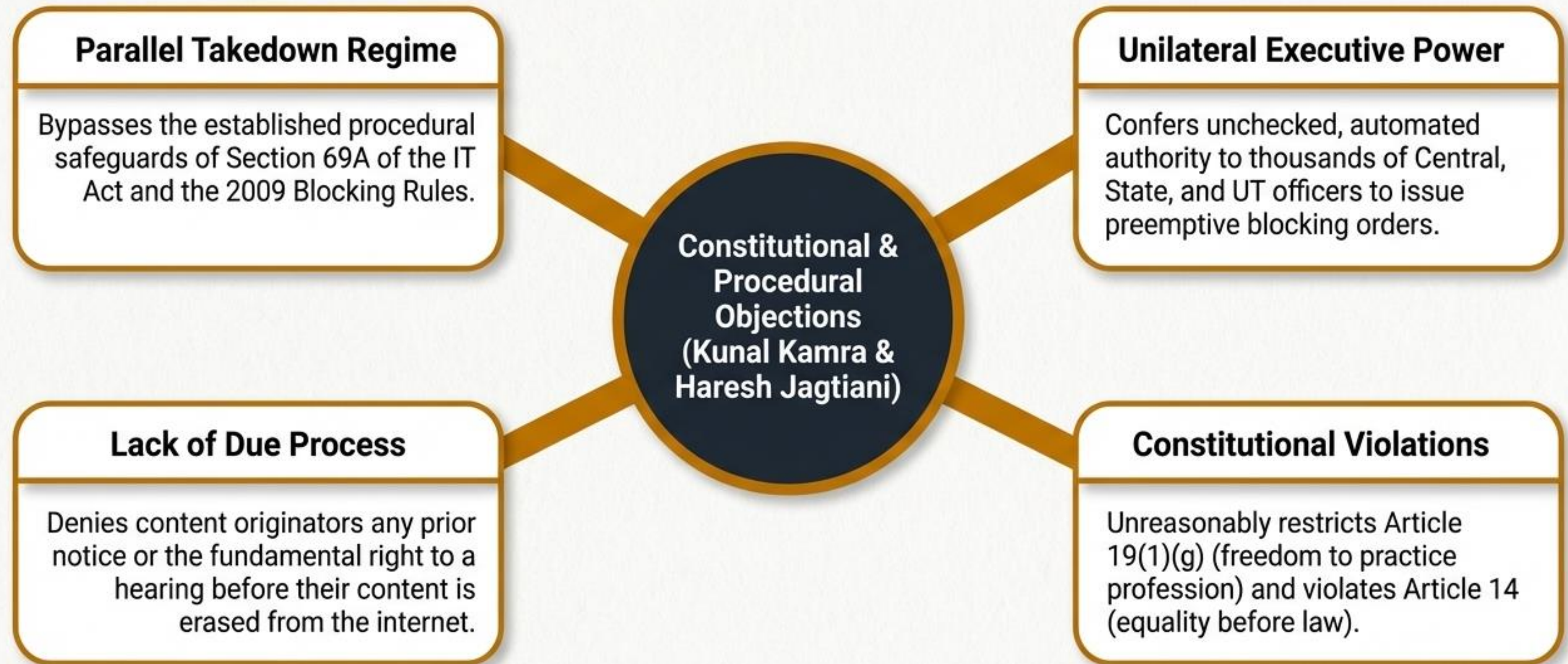


- Justices P K Mishra and N V Anjaria ruled a court cannot dismiss a quashing petition solely because potential punishment is light.
- The **Precedent:** A court must determine the actual merits—whether the FIR allegations, even if true, constitute a crime by the accused.
- **Action:** Granted Mittal 8 weeks protection and ordered the HC to judge the case strictly on its legal facts.

The Architecture of the Sahyog Portal and the 36-Hour Mandate



Deconstructing the Legal Challenge Against Unilateral Takedowns



The Specific Judicial Interventions Sought Before the Bombay High Court



Declaration on Rule 3(1)(d)

A formal court declaration that the amended IT rule does not legally confer the sweeping authority to issue automated blocking orders.



Declaration on Section 79(3)(b)

A ruling that this specific section of the IT Act cannot be utilized as a backdoor legislative mechanism to authorize information blocking.

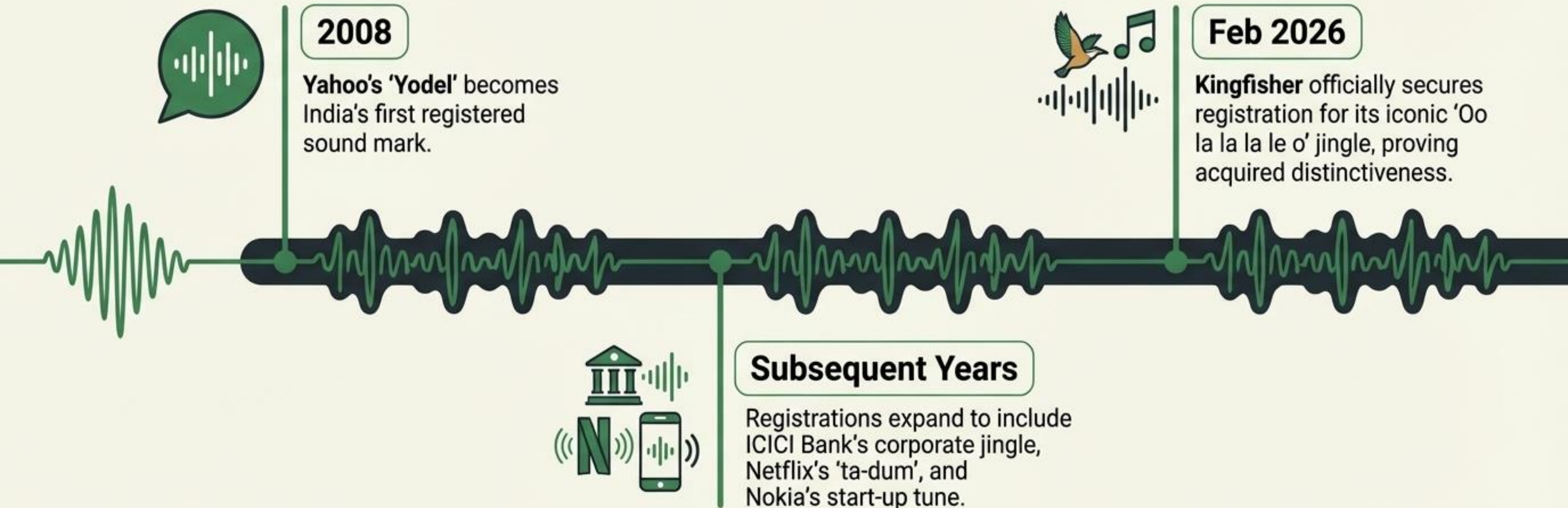


Dismantling the Infrastructure

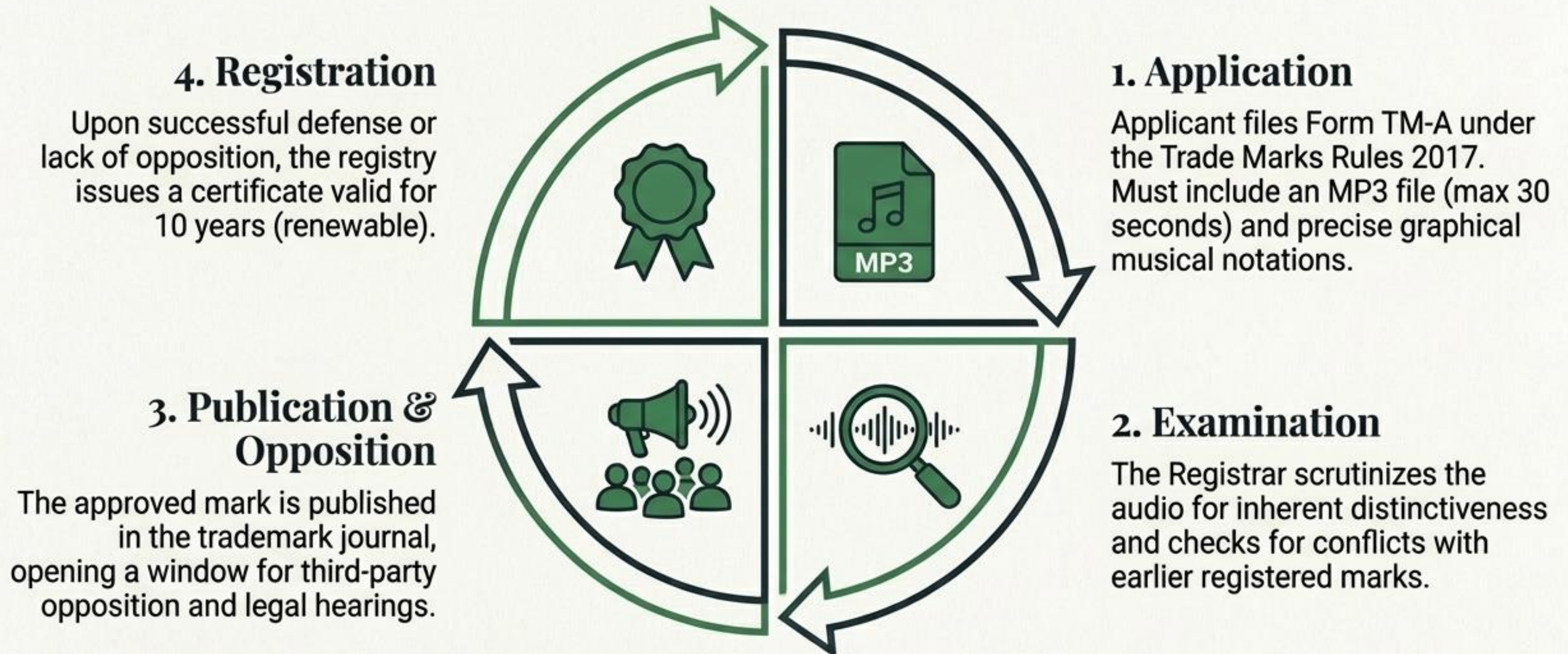
Immediate interim suspension of the Sahyog Portal, followed by orders to fully disable and dismantle the digital infrastructure, restoring the Section 69A procedural safeguards.

The Evolution of Non-Conventional Audio Identifiers in India

The Concept: A sound mark functions strictly as a source identifier. If an audio signal instantly connects a consumer to a specific commercial source, rather than a visual logo, it qualifies for trademark protection.



The Rigorous Four-Step Registration Process for Sound Marks



The Litmus Test: Proving Distinctiveness Over Functionality



The Rule against Genericism

- Simple one-note tunes or generic chimes.
- Functional noises that are a direct result of the product (e.g., engine sounds, the opening of a beverage can).

Acquired Distinctiveness

- Audio marks lacking inherent uniqueness must prove consumer association.
- Evidence required: massive advertising expenditure, market surveys, and extensive media coverage.

Global Precedent (EU Court of Justice)

India follows the 'Shield Mark BV' ruling: Sound marks must be capable of clear, precise graphical representation (like a musical stave with clefs and notes) rather than vague onomatopoeic descriptions.

Evaluating the Legality of Interfaith Live-in Relationships in Uttar Pradesh



The Case Profile

Justice Vivek Kumar Singh of the Allahabad HC reviewed 12 writ petitions from interfaith couples seeking police protection from family harassment.

The State's Contention

The government argued that the UP Prohibition of Unlawful Conversion of Religion Act, 2021 strictly applies to relationships "in the nature of marriage".

The Core Conflict

The state claimed that because the couples had not submitted a mandatory conversion declaration to the District Magistrate, their cohabitation was fundamentally "unlawful and illegal".

Judicial Prioritization of Constitutional Choice Over State Statutes

Statutory Interpretation of the 2021 Act

Section 3 prohibits unlawful conversion. Since the petitioners explicitly declared they were not converting, the Act does not apply. Being in a live-in relationship without conversion is not an offence under this statute.

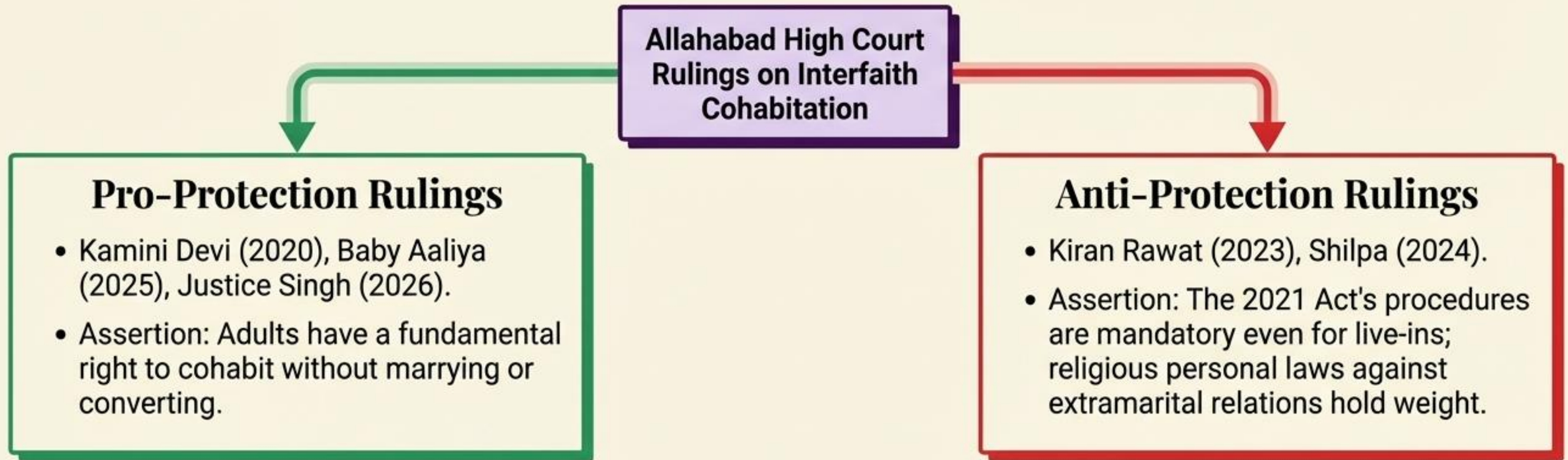
Dismissal of Personal Law Arguments

The state cited previous rulings that Muslim personal law prohibits extramarital relationships. Justice Singh dismissed this, noting Islamic personal law has no standing or enforceability in Indian criminal law.

Affirmation of Constitutional Supremacy

Relying on Supreme Court precedents (Lata Singh, Shafin Jahan), the court reiterated that an adult's absolute right to choose a partner is guaranteed under Article 21 (Right to Life and Personal Liberty).

A Fractured Legal Landscape Within the Allahabad High Court



The Current Reality

Because contradictory division bench rulings hold higher precedential value than single-judge decisions, interfaith couples in UP will face **varying, unpredictable judicial outcomes until the Supreme Court or a larger High Court bench definitively settles the law.**

Synthesizing the Modern Friction Between Rights and Regulation

Executive Overreach vs. Due Process

Courts are actively enforcing procedural rigor, discharging unproven corruption charges in the Delhi Excise investigations.

Automated Enforcement vs. Judicial Scrutiny

The Supreme Court is demanding strict legal reviews before allowing automated arrests of platform executives (Shaadi.com case).



Innovation vs. State Control

Markets evolve to protect novel intellectual property (Sound Marks), while civil society simultaneously battles digital infrastructure designed to unilaterally control the flow of online information (Sahyog Portal).

State Mandates vs. Personal Liberty

The judiciary remains the ultimate battleground for individual choices (UP interfaith live-in relationships) against sweeping state religious laws.

Final Note: The interplay between technological advancement, administrative ambition, and constitutional safeguards will continue to dictate India's legal trajectory in 2026 and beyond.

Thank You



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