

ADM Jabalpur Case

The ADM Jabalpur vs Shivkant Shukla case is known for the landmark verdict given by the Supreme Court of India in the case. The ADM Jabalpur Case summary is given below.

- This case was concerned with habeas corpus, i.e., an individual's right to not be detained unlawfully.
- ADM Jabalpur Case directly contradicted the Fundamental Rights of the Indian citizens under the Constitution.
- The High Courts, and especially Justice Hans Raj Khanna, dissented against the case.
- However, then the justice, P.N. Bhagwati, still concluded the ADM Jabalpur Case in favour of the Indira Gandhi government.

ADM Jabalpur Case Judges

The ADM Jabalpur vs Shivkant Shukla case was announced by a 5-judge committee in the Supreme Court. The majority of judges spoke in favour of the case with a statement that said that in the period of public apprehension, the law which gives every person security has to give way to the State's interests. They also stated that personal liberty is the "Gift of Law". The 4-seat majority of judges in the ADM Jabalpur Case included:

- Chief justice A.N. Ray
- Justice M. Hameedullah Beg
- Justice P.N. Bhagwati
- Justice Y.V. Chandrachud

Only Justice H.R. Khanna stood against jury's decision in the ADM Jabalpur Case. He said that no one should be deprived of liberty and life. He stated that the right to enquire about the matter and the Habeas Corpus writ could not be denied.

ADM Jabalpur Case Analysis

The decision of the ADM Jabalpur Case is said to be one of the most bizarre decisions taken by the Supreme Court in the history of Indian democracy. This case highlighted the loopholes in our constitution, which were used by the Union Government to abuse fundamental rights in desperate times. Some major amendments were made to the Constitution after this case.

ADM Jabalpur vs Shivkant Shukla Case Judgement

ADM Jabalpur Case is widely criticised for forsaking individual liberty and fundamental rights in favour of the State. Indian lawyer HM Seervai pointed out that if Justice H.R. Khanna had been arrested for his dissent, he would have been left with no means to secure his individual liberty. Find more details about the ADM Jabalpur vs Shivkant Shukla case judgement below:

- The judgment of the ADM Jabalpur Case was originally made in favour of the majority bench of judges, who concluded that
- As soon as the Emergency ended, the stance of the Supreme Court changed against the Habeas Corpus case.
- The majority of judges were accused guilty of abetting the State apparatus.
- In the 2017 Right to Privacy Case (Puttaswamy Case), the Supreme Court overturned the ADM Jabalpur Case.

ADM Jabalpur Case - Background

Here, we have shared the background of the ADM Jabalpur v. Shivkant Shukla case. When Indira Gandhi's win in Lok Sabha was challenged by the Ahmedabad High court, Justice Sinha accused her of indulging in fraudulent activities to win the elections, barring her from elections for the next six years. The events that happened next make up the details of the ADM Jabalpur Case:

- Indira Gandhi took the case to the Supreme Court, which only granted a conditional stay.
- As a result, she imposed an Emergency in the country on 26th June 1975.
- Political opponents, including A.B. Vajpayee and Morarji Desai, were arrested under the Maintenance of Internal Security Act (MISA), allowing no trial.
- They challenged the detention in High Courts and got support as well.
- The government again approached the Supreme Court to silence the High Courts in the ADM Jabalpur vs Shivkant Shukla case.

ADM Jabalpur Case Arguments

In the ADM Jabalpur Case, the State argued that in the time of Emergency, the executive gets the power to take over the implementation of laws for the interests of the State. The right of people to reach out to the Courts regarding the aforementioned rights is taken under the provision of Article 359(1), which is not a breach of law.

The respondents in ADM Jabalpur vs Shivkant Shukla argued that article 359(1) refrains citizens from approaching the court under Article 32, but it doesn't include the common law and statutory rights of personal liberty in High Court that comes under Article 226. Right to Life is not limited to Article 21, and the Executive taking over the Legislative is against the constitutional principles.