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# COMMUNIQUE

## MARCH 2026

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## SUPREME COURT THIS MONTH

- The Hon'ble Supreme Court in the case *Harish Rana v. Union of India* (2026 SCC OnLine SC 358) ruled that Clinically Assisted Nutrition and Hydration (CANH) administered through a PEG tube constitutes "medical treatment" that can be withdrawn for patients in a permanent vegetative state (PVS), applying the "best interest" principle under Article 21 to permit non-voluntary passive euthanasia when continuation merely prolongs biological existence without therapeutic benefit or dignity. The Court further held that right to die with dignity is inseparable from the right to receive quality palliative and end of life care. The Bench comprising Justice J.B. Pardiwala and Justice K.V. Viswanathan observed "*recognising CANH as a medical treatment brings decisions regarding its administration, refusal, withholding or withdrawal squarely within the realm of clinical judgment, thereby making physicians duty-bound to evaluate whether it is in the best interest of the patient to continue such treatment, or whether it has lost its therapeutic purpose and has become futile, thereby outweighing its intended benefits. ... We are therefore of the considered view that CANH constitutes 'medical treatment' and must be governed by the same legal principles applicable to the withholding or withdrawal of other forms of life-sustaining medical interventions, subject, of course, to the safeguards and procedural requirements laid down by this Court in Common Cause 2018.*"
- The Supreme Court in the case *Sandeep Yadav v. Satish & Ors.* (Crl. Appeal No. 1617 of 2026) ruled that a technical defect in the framing or signing of the charges is not a grave enough defect to warrant a retrial and is curable in nature unless resulting in a failure of justice. The Court added that a retrial is an extraordinary measure and cannot be done in matters of mechanical application without clear demonstration of prejudice to the accused. The Bench comprising Justice Ahsanuddin Amanullah and Justice R. Mahadevan observed "*the defect in the charge was, at best, a curable procedural irregularity falling within the ambit of Sections 215 and 464 Cr.P.C. No finding has been recorded by the High Court that such defect had occasioned a failure of justice or that the accused were misled in the conduct of their defence. An order directing a fresh trial cannot be passed in a routine or mechanical manner. It must be supported by a clear and reasoned finding that the earlier proceedings were vitiated to such an extent that continuation thereof would result in miscarriage of justice.*"
- The Supreme Court in the case *State of Maharashtra & Ors v. Reliance Industries Ltd. & Ors.* (Civil Appeal Nos. 3027-3029 of 2010) upheld that the State maintains authority to withdraw or modify tax or duty exemptions in public interest but subject to reasonable notice period being granted to beneficiaries to such exemptions who conduct commercial affairs in reliance of such concessions. The Bench comprising Justice P. S. Narasimha and Justice Alok Aradhe observed "*While the State, undoubtedly possesses the power to withdraw or modify a concession granted under a statutory provision, the manner in which such statutory power to withdraw exemption is exercised, must also satisfy the requirements of reasonableness and fairness. The principles of fair play demand that such withdrawal should not operate in a manner that causes undue hardship to those who have structured their affairs on the basis of concession earlier extended to them. This Court recognized the principle that Government may withdraw or modify a concession in exercise of statutory power. At the same time, it was held that Government ought to resile from its stand by giving reasonable notice so as to afford the beneficiary a reasonable opportunity to reorganise their affairs provided such a course is feasible. The rationale behind the principle is that the persons who have structured their commercial or industrial activities on the basis of a concession should not be subjected to abrupt policy reversals which leave them without reasonable time to adjust to the altered regulatory framework.*"



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- The Supreme Court in the case *State of Uttar Pradesh v. Ram Swaroop @ Barkat* (Crl. Appeal No. 443 of 2012) stated that where there exist two offences framed, one offence is considered minor if it is cognate to the other main charge, sharing the same core ingredients, and carrying a lesser sentence than the main charge. The Bench comprising Justice Aravind Kumar and Justice Augustine George Masih observed *“The expression “minor offence” found in Section 222 is not defined under the Code, it can be discerned from the context which is not merely that the prescribed punishment is less than the major offence. In other words, if the two offences are cognate offences and the main ingredients are common, the offence punishable with lesser sentence can be considered as a minor offence with reference to the other offence.”*
- The Supreme Court in the case *Kishorekumar Mohan Kale v. Kashmira Kale* (Civil Appeal No. 1342 of 2013) ruled that foreign divorce decrees on grounds unrecognized by the Hindu Marriage Act are non-binding, particularly in cases where natural justice standards under Indian laws are unmet. The Court was hearing a matter wherein the validity of a US decree granting divorce on the basis of “irretrievable breakdown of marriage” was challenged before Indian courts. The Bench comprising Justice Vikram Nath and Justice Sandeep Mehta observed *“In the present case, the US Court granted a decree of divorce on the ground of irretrievable breakdown of marriage. This ground is not recognised under the HMA, which is the matrimonial law applicable to the parties. Further, while the appellant-husband was duly served, he only filed a written statement by post expressly contesting the jurisdiction of the US Court, and did not participate in those proceedings any further. It cannot therefore be said that he voluntarily or effectively submitted to the jurisdiction of the foreign forum, or that he was afforded a meaningful opportunity to contest the matter. The foreign decree accordingly does not satisfy the conditions laid down in Y. Narasimha Rao (supra), and the principles of natural justice cannot be said to have been complied with.”*
- The Supreme Court in the case *Hamsaanandini Nanduri v. Union of India* (Writ Petition (C) No. 960 of 2021) held that the reproductive autonomy of an individual is not limited to biological aspect of birth and the rights of an adopted child and mother is equivalent to that of a natural child or parent under Articles 14 and 21 of the Constitution. The Court also held Section 60(4) of the Code on Social Security, 2020, limiting maternity benefits only to mothers who adopt children up to three months in age, as unconstitutional. The Bench of Justice J.B. Pardiwala and Justice R. Mahadevan observed *“The right of reproductive autonomy is not confined to the biological act of giving birth. Adoption is an equal exercise of the right to reproductive and decisional autonomy under Article 21 of the Constitution. ... In matters affecting a child, paramount consideration must be given to the best interests of the child. This consideration does not conclude with the completion of the formalities of adoption or the handing over of custody; rather, it continues throughout the period the child remains a child, more particularly the period during which the child integrates into the adoptive family. The true fulfilment of the child's welfare lies in enabling the child to meaningfully adjust, bond, and flourish within the family environment. ... When subsection (4) of Section 60 of the 2020 Code is examined through another angle, the provision turns out to be incapable of practical implementation, as it cannot fully achieve the purpose for which it has been enacted. With regard to the time required to declare a child legally free for adoption, by the time such a declaration is made, the child is unlikely to be less than three months old. Thus, the age limit renders the provision illusory and devoid of practical application.”*
- The Supreme Court in the case *Pannalal Bhansali v. Bharti Telecom Limited & Ors.* (Civil Appeal No. 7655 of 2025) ruled that a valuation report from a registered valuer is not a statutory requirement under Section 66 of the Companies Act, 2013 for the purpose of confirming the reduction of share capital, provided other



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requirements are fulfilled. The Bench of Justice Sanjay Kumar and Justice K. Vinod Chandran observed *“a buyback under Section 68 is optional and it is for the shareholder to decide whether the buyback is accepted or not, looking at the value at which the buyback is offered, which provision also does not stipulate a valuation report. Hence, whenever a valuation report was found expedient, it was statutorily required, but not under Section 66. ... Reduction of share capital can be achieved by a special resolution and confirmation by the Tribunal, without a report of valuation from an approved/registered valuer and hence, it does not fall within the ambit of a relevant material; without the full and complete disclosure of which the reduction of capital cannot be acted upon.”*



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## HIGH COURTS THIS MONTH

- The Allahabad High Court in the case *Magghu Ram v. State of U.P. & Ors. (Writ C No. 1779 of 2026)* ruled that authorities who fall under the Maintenance and Welfare of Parents and Senior Citizens Act, 2007 ("Senior Citizens Act"), do not possess authority to adjudicate disputed ownership claims or possession of immovable property. The Court substantiated that deciding on property disputes required civil proceedings including an evidentiary stage for both parties, an aspect which authority under the Senior Citizens Act is not empowered to conduct. The Single Bench of Justice Subhash Vidyarthi observed "*Rival claims to ownership and possession of immovable properties cannot be decided in a summary manner and the same can only be decided by filing of pleadings, framing issues, adducing evidence, cross-examining witnesses and thereafter hearing submissions and delivering a detailed judgment deciding all the issue between the parties. Therefore, the authorities under the Maintenance Act are not meant to decide the rival claims regarding ownership and possession of immovable properties.*"
- The High Court of Karnataka in the case *X v. Y (Crl. Petition No. 470 of 2019)* reiterated that the offence of bigamy under Section 494 of the Indian Penal Code (Section 82 of the Bharatiya Nyaya Sanhita) only occurs when a valid second marriage is proven during the subsistence of the first marriage, and that a live-in relationship with another woman during the course of marriage does not constitute bigamy. The Court also added that only the guilty spouse can be prosecuted for bigamy and not any third parties supporting such illicit relationship, including children or other relatives. The Single Bench of Justice R Nataraj observed "*Mere living in a relationship, does not amount to a marriage and therefore, an offence under Section 494 of IPC was not made out by the complainant ... it is the erring spouse who alone would be liable to be prosecuted and not anyone else,* even if such person has supported the accused in any manner whatsoever. For an offence under Section 494 of IPC, the provisions of Section 109 of IPC cannot be invoked as Section 494 of IPC only contemplates punishing the erring spouse and no one else."
- The High Court of Chhattisgarh in the case *Neelam Kumar Deshmukh vs. State of Chhattisgarh (CRA No. 786 of 2023)* ruled that a speech impaired witness may make their deposition in Court through gestures or other demonstrative methods and that such testimony shall be treated as oral evidence of substantive value. The Court was considering an appeal against a rape conviction wherein the Trial Court relied on the victim's testimony made through a demonstrative method using a plastic doll. The Division Bench comprising Justice Ramesh Sinha and Justice Ravindra Kumar Agrawal observed "*The law recognizes that a witness who is unable to speak may give evidence by signs or gestures in open Court, and such evidence is to be treated as substantive oral evidence. In the present case, the trial Court took adequate precautions by securing the presence of a trained interpreter and by recording its satisfaction regarding the victim's capacity to understand and respond. There is no material on record to suggest that the victim was suffering from any mental incapacity that would render her testimony unreliable. On the contrary, her ability to identify the accused, to demonstrate the act complained of and to narrate the sequence of events through gestures clearly establishes her competency as a witness.*"
- The High Court of Kerala in the *State of Kerala v. Anu & Ors. (CRL. A. No. 258 of 2026)* upheld that mob lynching under Section 103(2) of the Bharatiya Nyaya Sanhita, 2023 ("BNS") is a graver offence than ordinary cases of murder under Section 101. The Single Bench of Justice A. Badharudeen observed "*It is relevant to note that the offence of murder is punishable under Section 302 of the*



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*Indian Penal Code (hereinafter referred to as 'IPC' for short). When the BNS, 2023 has been substituted in the place of IPC, the punishment for murder has been incorporated under Section 103 of the BNS, 2023. Section 103(1) of BNS, 2023, provides punishment for the offence of murder defined under Section 101 of BNS, 2023. Section 103(2) of BNS, 2023 is a new provision introduced and the intent behind the legislation of this provision is to meet a situation when a murder is committed by a group of five or more persons acting in concert on the ground of race, caste or community, sex, place of birth, language, personal belief or any other similar ground each member of such group shall be punished with death or with imprisonment for life, and shall also be liable to fine. Thus, the legislature intended to treat the offence under Section 103(2) of BNS, 2023 as more serious. The intention of the legislation is to avoid the peril of murder by mob lynching."*

- The High Court of Andhra Pradesh in the case *Bunge India Private Limited v. M/s Sree Mahalakshmi Oil Mills (Civil Revision Petition No. 214 of 2026)* reiterated that delays in written statement filed within the 120 days statutory limit under the Commercial Courts Act, 2015 can be explained even beyond such period under Order VIII Rule 1 of the Code of Civil Procedure, 1908. The Court added that an application for condonation of delay is not necessary in such cases as the requirement to provide reason for delay under the Act is merely procedural in nature and cannot apply in a way that materially affects the right to defend. The Division Bench comprising Justice Ravi Nath Tilhari and Justice Maheswara Rao Kuncheam observed "Order VIII Rule 1 C.P.C even in its applicability to the Commercial Courts Act as amended, is a procedural law and even if couched in a mandatory language, is still procedural in nature, and in dealing with the matter of procedure, the old adage of procedural law being handmaid of justice shall be kept in mind. ... The provision of Order VIII, as amended for Commercial Courts,

*still retains the character of the procedural provisions. We are not saying that the time limit is not to be adhered nor that the object with which the Act has been brought into force to decide expeditiously the commercial disputes should be ignored, or that it should be construed to defeat the object; but we say that, the nature of the amended C.P.C applicable to the Commercial Courts Act is still a procedural law, which cannot be allowed to override the substantive rights even in its application to the Commercial Courts."*

- The High Court of Kerala in the case *P. K. Lakshmi & Ors. v. Gopi & Ors. (RSA No. 7/15 & 789/15)* reiterated that a life estate granted to a Hindu widow by way of a Will creates absolute ownership rights to the widow under Section 14(1) of the Hindu Succession Act, 1956. The Court added that once the absolute ownership is vested in the widow, any subsequent bequest of the estate is void under Section 95 of the Indian Succession Act, 1925. The Single Bench of Justice Easwaran S observed "*Bachi @ Janaki was given the right of management till her lifetime and after her death, the right gets transferred to the plaintiff. What is the impact of insertion of such a clause in Ext.B8 Will? Section 95 of the Indian Succession Act, 1925 provides that such a bequest will have no impact on the right of the testator. ... In the present case, because of the operation of Section 14(1) of the Hindu Succession Act 1956, the limited interest of the late Bachi@ Janaki elevates itself into an absolute right and once it becomes absolute right, the subsequent bequeath in Ext.B8 Will in favour of the plaintiff conferring him the right of management of the school cannot not have any efficacy of law."*
- The High Court of Allahabad in the case *Munazir Khan v. State of U.P. (Writ (C) No. 5996 of 2026)* ruled that no restriction may be placed on prayers or religious functions within the private premises of a person and the same is protected under Article 25 of the Constitution. The Court added that the right to congregate for worship under



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Article 25 does not however extend to those attempting to create incitement of another faith under the garb of prayer. The Division Bench of Justice Atul Sreedharan and Justice Siddharth Nandan observed *“Article 25 protects the right to congregate for worship to every religious denomination in this country but the same does not protect such acts and utterances which are devoid of the primary purpose of the congregation, which is prayer. By no stretch of imagination does article 25 accord protection to incitement of one faith by the other in the garb of prayer and that must be borne in mind by the adherents of all faiths/religion.”*



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## NOTIFICATIONS / AMENDMENTS INSIGHTS

- The Union Cabinet approved amendments to “Press Note 3” framework on 10 March 2026 which represents a calibrated relaxation of India’s earlier restrictive FDI regime for investors from land-bordering countries by introducing clarity, thresholds, and timelines while retaining core security safeguards. Most notably, it formally codifies a 10% beneficial ownership threshold, allowing non-controlling investments below this level to proceed under the automatic route (subject to reporting), thereby removing the earlier blanket approval requirement and reducing deal friction. For investments exceeding this threshold, particularly in identified priority manufacturing sectors, the government has introduced a time-bound approval process of 60 days, improving deal certainty. At the same time, the policy maintains tighter scrutiny for investments involving control or foreign-owned Indian entities, ensuring the original intent of preventing opportunistic acquisitions is preserved. Overall, PN-3 2.0 reflects a shift from a purely defensive regime to a more nuanced, facilitative framework balancing national security concerns with ease of doing business and capital inflows.
- The Reserve Bank of India issued RBI (Non-Banking Financial Companies – Prudential Norms on Capital Adequacy) Second Amendment Directions, 2026 through Notification No. RBI/2025-26/226DOR. CAP. REC. No. 416/21.01.002/2025-26 dated 10<sup>th</sup> March 2026 primarily introduce clarificatory changes to the computation of “Owned Funds” (Tier 1 capital) for NBFCs, with a focus on improving consistency and prudential accuracy. The amendment permits inclusion of quarterly profits as part of free reserves, subject to safeguards such as mandatory limited review/audit by statutory auditors and a deduction linked to average dividends of the past three years, ensuring only sustainable earnings are recognised. At the same time, it mandates that any current-year losses be fully deducted from owned funds, preventing overstatement of capital strength. Overall, the change is technical but significant—it tightens the quality of capital computation, aligns regulatory reporting with economic reality, and strengthens supervisory oversight without altering the broader capital adequacy framework for NBFCs.
- The Securities and Exchange Board of India through a Circular No. HO/38/11/(1)2026-MIRSD-POD/I/7656/2026 dated 23<sup>rd</sup> March 2026 on “Ease of Doing Business – Relaxations in certain reporting requirements for certain stock brokers and doing away with the requirement of reporting of demat accounts” streamlines compliance obligations by eliminating redundant reporting and rationalising disclosures. It clarifies that stock brokers which are also banks or primary dealers are required to report only those bank accounts that are actually used for stock broking activities, avoiding duplication across regulatory frameworks. Further, the circular dispenses with the requirement of reporting and tagging certain demat accounts, particularly where such accounts are not used for broking operations, and instead relies on direct data sharing by depositories with stock exchanges to maintain regulatory visibility. Overall, the measure reduces operational friction, aligns reporting with functional relevance, and enhances efficiency while preserving oversight through system-level data integration.
- The Central Board of Direct Taxes, Department of Revenue, Ministry of Finance through its Circular No. 01/2026 dated 23<sup>rd</sup> March 2026 issued a clarification on the power to condone delay in filing Form No. 10A under sub-clause (l) clause (ac) of sub-section (1) of section 12A of the Income Tax Act, 1961. The circular reiterates and



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operationalises the scope of powers under Section 119(2)(b) of the Income-tax Act, 1961, confirming that tax authorities can admit applications for condonation of delay where taxpayers are prevented by “reasonable cause” from timely filing prescribed forms or returns. The clarification primarily addresses hardship situations (such as delays due to audit or procedural constraints) and delegates/structures the authority across different levels of income-tax officers based on the period of delay, ensuring that such requests are examined on merits rather than rejected mechanically. Overall, it reinforces a relief-oriented, discretionary framework balancing taxpayer facilitation with safeguards by requiring authorities to verify bona fide reasons and compliance with underlying conditions before granting condonation.

- The Ministry of Corporate Affairs (MCA), through Notification G.S.R. 169(E) dated 10<sup>th</sup> March 2026 released Companies (Accounting Standards) Amendment Rules, 2026, which has introduced targeted updates to the existing Accounting Standards framework with the objective of aligning Indian GAAP more closely with evolving regulatory and reporting expectations. The amendment modifies Accounting Standard (AS) 22 with regard to income tax accounting in relation to the framework for international tax reform based on the OECD Pillar Two Model Rules. A new clause makes it clear that companies cannot identify or reveal deferred tax assets or liabilities pertaining to taxes emerging under Pillar Two legislation, which includes qualified domestic minimum top-up taxes imposed by countries. Additionally, new disclosure regulations have been implemented, requiring companies to individually report current tax expenses or profits connected to Pillar Two taxes as well as the application of the exception. Businesses must also submit both qualitative and

quantitative data regarding their possible exposure to Pillar Two income taxes in cases where the law has been passed but is not yet in effect, even while small and medium-sized companies are exempted from a few disclosure requirements.






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## DEALS THIS MONTH


- Quick-commerce food delivery startup Swish has raised \$38 million in a funding round led by Hara Global and Bain Capital Ventures, with participation from existing investors and venture debt providers. The round reportedly more than doubled the company's valuation, reflecting strong investor confidence in its rapid delivery model. The proceeds will be used to scale operations, deepen its presence in key urban markets, and strengthen logistics and supply chain capabilities in the highly competitive quick-delivery segment.
- Deeptech startup Pranos Fusion has raised \$6.8 million in a funding round co-led by pi Ventures and Ankur Capital, with participation from Industrial47 and angel investors. The company is focused on developing high-field nuclear fusion technology aimed at enabling scalable, clean energy solutions. The funding will support continued R&D, prototyping, and advancement of its fusion reactor systems, highlighting growing investor interest in long-term clean energy innovation.
- Toy manufacturing and design platform BIDSO has raised ₹63 crore in a Series A round led by Blume Ventures, comprising a mix of equity and venture debt, with participation from existing investors. The company plans to use the capital to enhance its design and manufacturing capabilities, expand production capacity, and grow its product portfolio, while strengthening its position as a design-led manufacturing partner for consumer brands and scaling beyond toys into adjacent categories.
- E-commerce accelerator and global distribution platform Assiduous Global has raised \$25 million in a Pre-Series B round led by Bajaj Finserv, with participation from institutional and family-office investors. The company operates a technology-driven, asset-light infrastructure model enabling brands to scale globally across marketplaces, and has demonstrated strong growth and profitability. The fresh capital will be deployed to enhance AI and data capabilities, expand into international markets, and strengthen its global commerce infrastructure platform.
- Weaver Services, a fast-growing services and infrastructure platform, has raised approximately INR 1,450 crore in a funding round led by Premji Invest and Lightspeed, marking one of the larger capital raises in the segment. The investment underscores strong investor confidence in the company's scalable services model, with proceeds expected to be used for expansion, technology upgrades, and strengthening its operational footprint across key markets, as it continues to build a large-scale, integrated services platform.



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