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JUDGEMENTS THAT WENT BEYOND THE COURTROOM

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INTRODUCTION

The Supreme Court of India has been regarded as the guardian of the Indian Constitution. It not only dispenses justice but also makes sure that the democratic fabric of the country remains intact. It is owing to the impartiality of judgements delivered by the Supreme Court that the law remains alive not only in letter but also in spirit. This blog is an attempt to explore how some judgements went beyond the courtroom-i.e., it takes a glance at some of the landmark Supreme Court judgements in India and how they continue to remain relevant today.

ARTIFICIAL INTELLIGENCE (AI) AND THE SANCTITY OF JUSTICE

As AI redefines the landscape of today, one must figure out clearly the boundaries between areas of work that are to be handled by humans and those that can be left to AI. While AI has made life simpler, it is quite different as compared to other forms of technologies. Even as the Supreme Court has noted that AI can to a significant extent replicate and help out the human capacity to function. This came to light in the landmark case of Pooja Ramesh Singh vs Jammu and Kashmir Bank Ltd. The case, a prominent one, revolved around reliance on AI for generating and interpreting case law and its consequences for justice. The doctrine of precedent in the Indian judiciary is an instrumental one and what happens if AI generated paragraphs are deemed to be proper citations? Where should the line between human effort and integrity on one hand and technological reliance on the other hand be drawn? Quoting from the summary prepared by the Centre for Research and Planning, Supreme Court of India, “The Court declared zero tolerance for the Bar and the Bench citing or relying on AI-hallucinated material as precedent without verification, and directed the Bar Council of India to constitute a committee to address the issue.”¹ And yes, I opine that when hundreds and thousands rely on

¹ *Landmark Judgment Summaries*, India <https://www.sci.gov.in/landmark-judgment-summaries/>.

the courtroom as the site of justice, to rely on fake case law would mean be equivalent to a doctor injecting the wrong injection and then claiming that the medical case was brought in late. Such a decision, which is a blemish on and in direct opposition to the rule of law, should, as remarked by the Hon'ble Court, hold no value. Therefore, the setting aside of NCLT and the NCLAT's judgements and orders is something that goes beyond the courtroom in my opinion and protects the democratic body in the age of technology.

This is not only a question of justice alone. It compels us to think- Have humans created AI to help themselves or eliminate their rationality and efforts? Has AI started enslaving humans or do we still have control? The answer is complex and the debate endless. Now let us turn from a landmark judgement concerning AI and law, to something that touches on deeply human aspects- on the more fundamental right to life.

HARISH RANA VS UNION OF INDIA AND THE RIGHT TO LIFE

Death and life are inseparable- are they? Legally speaking, not really. In 2018, in the judgement delivered by the Hon'ble Supreme Court in the Common Cause v Union of India², the right to die with dignity was recognised and deemed to be a part of the right to life under Article 21 of the Indian Constitution. The Court was of the opinion that while euthanasia was illegal, subject to the intricacies of the situation at hand, it was not completely wrong if life supporting treatment was withdrawn. Now let's see how this related to Harish Rana's case. The person in question here was in a 'Permanent Vegetative State' and was bedridden for approximately 13 years. Despite bringing up the situation to the High Court, the petition was dismissed owing to the simple fact that euthanasia was impermissible.

When the matter came to light in the Supreme Court, the Hon'ble Court delivered a decision that upheld the rule of law not only in letter but also in its sincerest spirit. Having gone through the intricacies of the situation at hand, AIIMS was directed to ensure that the applicant died with dignity through a robust "End of Life(EOL)" plan. Furthermore, this landmark judgement

² *Euthanasia and the Right to Die with Dignity*, Supreme Court Observer (Jan. 24, 2023), <https://www.scobserver.in/cases/common-cause-euthanasia-and-the-right-to-die-with-dignity-case-background/>.

also paved the way for a re-examination and need to streamline the Common Cause guidelines and the dire need for Union Legislation on the matter in question.

CONCLUSION

To conclude, the reason why I chose these 2 landmark judgements was that law is not a litmus test. We cannot afford to experiment here. The first judgement dealt with the integrity of justice and its character while the second one emphasised the right to life- and within it- inherently the right to die. In a country where justice has symbolic connotations and millions of expectations attached to it, these judgements went beyond the courtroom.

REFERENCES

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