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Constitutional Protection of Personal Liberty in the Digital Age:

A Critical Analysis of *Harish Rana v. Union of India*

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In the historic case of *Harish Rana* against Union of India, the Indian Supreme Court had extensively examined the issue of individual liberty, human dignity, and the right to life under Article 21 of the Constitution. This case comprised of a youth who, after having an accident, had become vegetative for more than 10 years. In dealing with difficult decisions regarding the end of life, the court held that the tube feeding could be stopped because it is a form of treatment and not a maintenance procedure. The judiciary protected human freedom from forced and inefficient treatment by allowing passive euthanasia as part of death with dignity.¹

Introduction to Personal Liberty and Modern Horizons

Constitutional law has evolved considerably in relation to the idea of liberty. Today's laws recognize that liberty is about far more than just being protected from illegal governmental arrest. Today's individual autonomy is about the right to autonomy, privacy, and dignity. It is important for courts to expand existing laws without infringing on fundamental rights while facing the problems caused by advanced medical techniques and technologies. Government intervention, as well as excessive coercion of the medical survival, should be prevented through such fundamental

¹ *Harish Rana v. Union of India*, 2026 INSC 222, SC 358.

<https://indiankanoon.org/doc/125527568/>

rights. Ultimately, it is necessary to take a fresh look at how legal systems measure the standard of living and the scope of governmental power in order to understand modern individual liberty.²

The Judicial Framework of Article 21 and the Right to Die with Dignity

Article 21 of the Indian Constitution states that no person shall be deprived of life and personal liberty except according to the procedure established by law. Over the years, the interpretation of this negative provision has led to its becoming a source of positive rights, which include the right to privacy, health, and human dignity. In light of this interpretation, the right to life can extend to the right to die with dignity. Over the years, it has been reiterated in various cases that compelling a person to undergo unwanted or futile medical treatment goes against personal liberty. The precedents set by the earlier cases provided a framework for adopting the practice of structured passive euthanasia. The sanctity of life could be upheld in such a way that there would not be any unnecessary suffering in prolonging the process. However, mere theoretical pronouncements about dying with dignity sometimes encountered procedural problems when applied to persons who were incapable of giving concurrent consent.³

- I. **Constitutional Basis:** Article 21 of the Indian Constitution states that nobody can be denied the right to life or personal liberty unless such a deprivation is done in accordance with the procedure prescribed by law.
- II. **Broadening the Scope:** Initially, there were limited rights providing protection against arbitrary arrest by the state, and thereby the courts have expanded their scope to include fundamental human rights.
- III. **Key Elements:** It guarantees that freedom of the individual entails the right to privacy, self-determination, personal dignity, and a life of dignity.

² *Harish Rana v. Union of India*, 2026 INSC 222, <https://www.scobserver.in/supreme-court-observer-law-reports-scolr/assisted-nutrition-as-medical-treatment-in-passive-euthanasia/>

³ *Common Cause v. Union of India*, (2018) 5 S.C.C. 1, <https://indiankanoon.org/doc/184449972/>

- IV. **Right to Die with Dignity:** Now the right to live includes dying with dignity by allowing passive euthanasia and safeguarding people from being kept alive artificially.
- V. **Fundamental Human Right:** Working as the basis of all fundamental rights, Article 21 keeps changing itself to deal with emerging modern technological and medical issues.

The Landmark Ruling in *Harish Rana v. Union of India*

With respect to the law on end-of-life care, there was a very significant development in the case of *Harish Rana v. Union of India*. In the particular case, it was about a young individual who had remained in a coma for ten years due to an accident and had been living only due to artificial sustenance. When the relatives requested the permission for passive euthanasia, the lower courts were apprehensive in giving it, and mistakenly thought that passive euthanasia would amount to starving the individual artificially, which is not true. Upon the review of this case by the apex court, the Supreme Court explicitly rejected the wrong premise and held that artificial sustenance was essentially medical treatment. Thus, permitting the withdrawal of such treatment under medical supervision, the Supreme Court effectively used the passive euthanasia for the first time.⁴

Surrogate Autonomy and the Safeguards against Misuse

One of the major issues in caring for incapacitated patients is handling family decisions in the absence of a valid living will. Critics fear the possibility of abuse, coercion, or conflict of interest in decisions that can mean life or death. The *Harish Rana* judgment makes an appropriate response to such concerns by creating a series of stringent procedural safeguards. The court required an independent review of the matter by medical panels composed of experts to demonstrate the permanence of the vegetative state as well as futility of any further treatment. With this combination of judicial and medical control over family decision-making, the court struck a

⁴ *Harish Rana v. Union of India*, 2026 INSC 222, SC 358.

<https://indiankanoon.org/doc/125527568/>

careful balance between the true best interest of the patient and effective safeguard against malice.⁵

Conclusion and Future Implications for Constitutional Jurisprudence

In *Harish Rana v. Union of India*, the verdict is significant in terms of the development of constitutional liberty and medical laws. By addressing the complexities that arise from modern technologies, the court ensured that the constitutional liberties remain relevant in addressing human concerns. In addition to resolving the particular dispute, the judgment provided a sympathetic approach to the balance of the interests of the state and the right of individuals to die with dignity. While technologies have been making the distinctions between life and artificial prolongation increasingly hard, there is always room for improvement in law-making processes to ensure empathy and consideration in doing so. Indeed, in *Harish Rana*, constitutional liberty proved its might, proving that personal liberty of the modern citizen has to include even his right to rest.

Further Insights on Passive Euthanasia

The judgment delivered in the case of *Harish Rana v. Union of India* has become the first-ever judgment wherein the law on passive euthanasia has been applied to an individual case. The historic decision was made in relation to an individual who found himself in a state of permanent vegetative existence. The court's conclusion that discontinuance of artificial feeding cannot be deemed as active starvation makes it possible to create a crucial judicial precedent. The ruling draws the fine line between individual's liberty and dignity and the system of institutional

⁵ *Common Cause v. Union of India*, (2018) 5 S.C.C. 1, <https://indiankanoon.org/doc/184449972/>

safeguards that require independent verification of the state of vegetative existence through an expert medical board.⁶

⁶ Harish Rana v. Union of India, (2026) Supreme Court of India [or corresponding reporter citation], <https://www.drishtias.com/daily-updates/daily-news-analysis/sc-allows-1st-passive-euthanasia-in-harish-rana-case>