

## SLA CLAT SECTIONAL TEST — LEGAL CURRENT AFFAIRS Set 2

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## GENERAL INSTRUCTIONS

- Total Questions: 30 Multiple-Choice Questions (MCQs)
- Total Duration: 30 Minutes
- Marking Scheme:
  - +1 mark for each correct answer
  - -0.25 marks for each wrong answer
  - 0 marks for un-attempted questions

## PASSAGE 1 (Q1–Q6)

In 2018, a five-Judge Bench of the Supreme Court of India held, by a majority of four to one, that the custom excluding women of about ten to fifty years from the Sabarimala temple in Kerala was unconstitutional. Review petitions followed. In 2019 the Court did not decide the reviews directly. It referred wider questions about religious freedom to a larger Bench, because the same issues arise in other faiths, including mosque entry for Muslim women, the status of Parsi women who marry outside the community, and the excommunication practices of the Dawoodi Bohras.

That reference was heard by a nine-Judge Constitution Bench headed by Chief Justice of India Surya Kant. Hearings began on 7 April 2026 and, after 16 days, the Bench reserved its Judgment on 14 May 2026. No Judgment had been reported by 1 October 2026, so the questions below remain open and the law as it stood before the reference is unchanged.

The central question is how far courts may test a religious practice against equality and the other fundamental rights. Article 25 of the Constitution of India guarantees freedom of conscience and the right to practise religion, but expressly makes that right subject to public order, morality, health and the other provisions of Part III. Article 26 of the Constitution of India protects the right of a religious denomination to manage its own affairs in matters of religion, and it is made subject only to public order, morality and health. The Bench examined whether this difference in wording means that Article 26 stands apart from Articles 14, 15 and 17 of the Constitution of India. Justice Nagarathna observed that Articles 14 to 24 do not speak of religion in the way Article 25 does, so the relationship between them and Article 25 cannot be assumed.

Those who want wider scrutiny argue that no practice violating equality or dignity should be shielded merely because it is called religious. They say the essential religious practices test, which the Court itself developed, forces judges to decide what a faith requires, a theological task they are poorly placed to perform, and that a constitutional-values test should replace it. They add that an individual worshipper needs a remedy when a denomination excludes her.

Those who seek deference argue that matters of faith are for the community to define. Solicitor General Tushar Mehta submitted that tests such as arbitrariness and intelligible

differentia, which belong to Article 14 of the Constitution of India, have limited application to matters of personal faith. They add that Article 26 gives denominations autonomy and that judges applying their own idea of constitutional morality risk imposing outside values on a faith. They also say outsiders who do not follow a faith should generally not challenge its internal practices through public interest petitions.

Until the nine-Judge Bench delivers its Judgment, lower courts continue to apply the existing precedent.

**Source:** *Sabarimala Reference (arising from Indian Young Lawyers Association v. State of Kerala), nine-Judge Bench of the Supreme Court of India, judgment reserved 14 May 2026 (LiveLaw)*

## QUESTIONS

**Q1.** Which of the following is NOT correct as per the passage?

- (A) The 2019 Court sent wider questions to a larger Bench because the same issues arise in other faiths, including Dawoodi Bohra excommunication.
- (B) The 2018 Judgment on the custom was unanimous, and the 2019 Court then decided the review petitions directly without referring anything.
- (C) Hearings before the nine-Judge Bench began on 7 April 2026, and Judgment was reserved on 14 May 2026 after 16 days.
- (D) Justice Nagarathna observed that Articles 14 to 24 of the Constitution of India do not speak of religion as Article 25 does.

**Q2.** Kabir leads a ritual in a community hall that publicly bars members of one social group from sitting with the others. He argues that Article 25 of the Constitution of India guarantees his right to practise religion, so the ritual cannot be tested against the equality provisions of Part III. Is the ritual open to being tested against those provisions?

- (A) No, because a worshipper's own description of a ritual as religious settles the matter and shields it from equality scrutiny.
- (B) No, because Article 25 protects personal belief, and the conduct of rituals falls under Article 26 of the Constitution of India instead.
- (C) Yes, because the nine-Judge Bench has already decided that Article 25 must yield to Articles 14, 15 and 17.
- (D) Yes, because Article 25 is expressly subject to the other provisions of Part III, which include the equality provisions.

**Q3.** The Sri Vasuki Sabha, a religious denomination in the State of Nirmalya, bars women who married outside the community from its inner shrine. It says the exclusion is an essential religious practice that courts cannot examine. Neeta,

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a member excluded in this way, petitions a High Court. Which argument from the passage best answers the Sabha's reliance on the essential religious practices test?

- (A) Article 26 gives denominations autonomy in matters of religion, so the exclusion is for the Sabha to define, not judges.
- (B) Tests of arbitrariness and intelligible differentia, which belong to Article 14, have limited application to matters of personal faith.
- (C) The test makes judges decide what a faith requires, a theological task they are poorly placed to perform, so a constitutional-values test should replace it.
- (D) An individual worshipper needs a remedy when a denomination excludes her, so Neeta must be allowed to bring her own petition in the High Court.

**Q4.** In the State of Nirmalya, which follows the Constitution of India, a High Court is hearing Ananya's petition against a temple custom that excludes women of a certain age, much like the custom struck down in the 2018 Sabarimala Judgment. The temple's counsel asks the High Court to adjourn until the nine-Judge Bench delivers its Judgment, saying the reference makes the earlier ruling uncertain. Is the request sustainable?

- (A) Yes, because a reserved reference suspends the earlier Judgment, so no Court can apply it until the larger Bench decides.
- (B) Yes, because hearings concluded after 16 days, so the High Court should wait and apply the view the larger Bench is expected to take.
- (C) No, because no Judgment has been delivered, the law stands as before, and the High Court should apply the existing precedent.
- (D) No, because the nine-Judge Bench was formed only for Parsi and Bohra questions, which have no bearing on any temple custom.

**Q5.** The Raghava Mandali, a religious denomination, claims under Article 26 of the Constitution of India that it decides whether its shrine stays open. A State order shuts the shrine for three weeks to stop a dangerous infection spreading among pilgrims. Can the order limit the Mandali's right?

- (A) Yes, because Article 26 is expressly subject to public order, morality and health, and the infection risk falls within health.
- (B) No, because Article 26 is subject only to public order and morality, and health is not among the listed grounds.
- (C) No, because the right of a denomination can be limited only by a Judgment of the nine-Judge Bench, and none exists.
- (D) Yes, because Article 26 is subordinate to Article 25, which is why the Mandali's right gives way to the State order.

**Q6.** In the State of Nirmalya, the Raghava Samaj, a religious denomination, bars women from its inner shrine. Leela, a member, and Sudhir, who does not follow the faith, both file petitions in a High Court. The Samaj replies that Article 26, being subject only to public order, morality and health, stands apart from Articles 14, 15 and 17, and that Sudhir cannot sue as an outsider. Which statement about these contentions is most accurate on the passage?

- (A) Both contentions fail, because the Bench has held that Article 26 is subject to Articles 14, 15 and 17 and that outsiders may sue.
- (B) Both contentions succeed, because the wording of Article 26 and the deference arguments together show that the Samaj's autonomy prevails.
- (C) Leela's petition must succeed, since excluding women offends dignity and the Samaj's contentions have no merit under the passage.
- (D) Neither is settled: the wording does not decide whether Article 26 stands apart, and the limit on outsiders is a submission, not a ruling.

## **PASSAGE 2 (Q7–Q12)**

The Transgender Persons (Protection of Rights) Act, 2019 gave a transgender person the right to a self-perceived gender identity under Section 4(2) of that Act. The idea came from National Legal Services Authority v. Union of India, decided in 2014, in which the Supreme Court of India recognised transgender persons as a third gender and held that people may decide their own gender identity. In March 2026 Parliament passed an amending Act, which received presidential assent at the end of that month and was challenged at once.

The Transgender Persons (Protection of Rights) Amendment Act, 2026 changes the scheme in four ways. It deletes Section 4(2) of the 2019 Act, so self-perceived identity is no longer the legal basis of recognition. It introduces a step in which a medical board certifies identity, and it revises the definition of a transgender person. It requires hospitals to report gender-affirming procedures to the District Magistrate. It also raises penalties for some offences.

On Monday, 4 May 2026, a Bench of Chief Justice of India Surya Kant and Justice Joymalya Bagchi issued notice to the Union and the States on the petitions, including Laxmi Narayan Tripathi v. Union of India, Writ Petition (Civil) 548 of 2026. The Bench said there was no question of an interim stay, and the petitions were sent to a three-Judge Bench. The Court has not decided whether the law is valid. A refusal of interim relief only means the Act operates while the case is pending, and the Act came into force on 25 May 2026. On 15 June 2026 the Court stayed High Court proceedings on the same challenge. On 17 August 2026 the Union told the Court that identity cards issued under the 2019 Act would continue to work while the case is pending.

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The legal issue is whether Parliament can replace self-identification of gender with certification by a medical board, or whether this goes against the rights recognised in the 2014 decision under Articles 14, 15, 19 and 21 of the Constitution of India.

For the Act, Solicitor General Tushar Mehta said it addresses forced gender change and harmful practices and creates a precise and verifiable framework that prevents misuse of welfare benefits. Parliament, he argued, may legislate on the process of identity recognition, and medical verification and reporting help protect vulnerable people.

Against the Act, Senior Advocate A.M. Singhvi argued that it replaces the self-identification principle with medical and bureaucratic gatekeeping, and that a board approving identity intrudes on dignity, autonomy and privacy under Article 21 of the Constitution of India. He said a statute cannot undo a right declared by the Supreme Court without removing the legal basis of that decision, and that a narrow, largely biological definition may be arbitrary under Article 14 of the Constitution of India.

**Source:** *Transgender Persons (Protection of Rights) Amendment Act, 2026; order of the Supreme Court of India, 4 May 2026 (Bar & Bench; Supreme Court Observer)*

**QUESTIONS**

**Q7.** The Supreme Court of India refused to stay the Transgender Persons (Protection of Rights) Amendment Act, 2026 on 4 May 2026 and sent the petitions to a three-Judge Bench. Which question will that Bench actually have to decide?

- (A) Whether certification by a medical board can replace self-identification, or breaches the rights recognised in the 2014 decision.
- (B) Whether the new penalties in the Amendment Act apply to offences committed before the Act was passed by Parliament.
- (C) Whether the District Magistrate or a hospital is the proper authority to receive reports of gender-affirming procedures.
- (D) Whether the 2014 decision recognising a third gender should itself be overruled by the three-Judge Bench.

**Q8.** On 10 July 2026, Mira asks the competent authority to recognise her as a transgender person. She submits only a sworn statement of her self-perceived gender identity and no medical board certificate. Is she entitled to recognition on that basis?

- (A) Yes, because Section 4(2) of the Transgender Persons (Protection of Rights) Act, 2019 still gives a right to self-perceived identity while the challenge is pending.
- (B) No, because the Amendment Act deleted Section 4(2), and since 25 May 2026 recognition depends on certification by a medical board.

(C) Yes, because a person knows her own identity best, and refusing recognition for want of a medical test would offend dignity.

(D) No, because the Supreme Court of India has already held the Amendment Act valid, so her statement carries no weight.

**Q9.** In January 2025, Rohan received an identity certificate and identity card under the Transgender Persons (Protection of Rights) Act, 2019. In September 2026 a welfare office refuses to accept his identity card, saying that the Amendment Act makes every document issued under the 2019 Act invalid. How should the office treat the identity card?

- (A) As invalid, because the Amendment Act removes the basis on which every document under the 2019 Act was issued.
- (B) As valid for ninety days, after which Rohan must obtain fresh certification from a medical board.
- (C) As valid, because on 15 June 2026 the Supreme Court of India stayed the Amendment Act's operation for documents issued under the 2019 Act.
- (D) As valid while the case is pending, because the Union told the Court that such identity cards would continue to work.

**Q10.** On 14 July 2026, St. Anne's Hospital in the State of Nirmalya performed a gender-affirming procedure and did not inform the District Magistrate. Its administrator says the reporting rule cannot bind the hospital while the Supreme Court of India is still examining the Amendment Act. Is the hospital under a duty to report?

- (A) No, because a duty to report arises only after the three-Judge Bench upholds the Amendment Act.
- (B) No, because the reporting requirement applies to the medical board and not to hospitals performing procedures.
- (C) Yes, because the Act requires hospitals to report such procedures to the medical board that certifies a person's identity.
- (D) Yes, because the Act came into force on 25 May 2026 and requires hospitals to report such procedures to the District Magistrate.

**Q11.** In the Republic of Satyadesh, its apex court declared in 2010 that tenants have a right to notice before eviction, because Section 7 of the Tenancy Act expressly gave that right. In 2026 the legislature repealed Section 7 and made no other provision. Applying the reasoning of Senior Advocate A.M. Singhvi in the passage, can the repeal be defended against the charge that it undoes the court's declaration?

- (A) No, because a statute can never alter a right the apex court has declared, even if its legal basis is removed.
- (B) No, because the apex court declared the right, so only that court can later remove it from the law.

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(C) Yes, because the repeal removes the legal basis on which the declaration rested, and a statute may do that.

(D) Yes, because a later statute on the same subject prevails over an earlier declaration even while its basis remains.

**Q12.** On 10 June 2026, Rekha, a lawyer, advises a client: "Because the Supreme Court of India refused to stay the Amendment Act, it has already found the Act constitutional, so arguments under Article 21 against it are now closed." Is the advice sound?

(A) No, because refusal of an interim stay only means the Act operates meanwhile, and the three-Judge Bench still has to decide validity.

(B) No, because sending the petitions to a three-Judge Bench means the Act cannot operate until that Bench decides.

(C) Yes, because a Bench headed by the Chief Justice of India that declines a stay is taken to have approved the Act's validity.

(D) Yes, because notice was issued to the Union and the States, and notice shuts out later arguments under Article 21.

## PASSAGE 3 (Q13–Q18)

A news report or court judgment naming a person can stay on the internet for ever, even after the person is acquitted or a dispute is settled. In *K.S. Puttaswamy v. Union of India*, decided in 2017, the Supreme Court of India recognised privacy as a fundamental right under Article 21 of the Constitution of India. Indian courts then gave inconsistent orders on whether a person may ask for old legal records about them to be hidden. Courts are also tied to the principle of open justice, which says that court proceedings should be public.

On 29 May 2026 the Delhi High Court, in a 144-page Judgment by Justice Sachin Datta in *Laksh Vir Singh Yadav v. Union of India and connected matters*, decided more than thirty-five petitions together. The question was whether a right to be forgotten exists under Article 21 of the Constitution of India and how it can be balanced with open justice and with freedom of speech under Article 19(1)(a) of the Constitution of India. The Court held that the right to be forgotten is a facet of informational privacy under Article 21.

The Court approved two remedies that leave official court records untouched. De-indexing removes a person's name from search results, while the Judgment can still be found by case number or citation. Masking replaces names and personal identifiers in public digital copies of judgments, while the unredacted record stays with the court. The Court stressed that de-indexing is not deletion. It said open justice does not demand perpetual digital exposure, and that it would be perverse to let

search engines amplify an arrest while the acquittal stays buried.

Relief is generally open to people who were acquitted or discharged, whose proceedings were quashed or settled, who were parties to concluded matrimonial disputes, who were victims of sexual offences, or who are mentioned only incidentally. It is generally refused for people convicted of offences against women or children, for public figures where the matter still concerns public debate, in cases of breach of public trust, and where public interest continues.

The moral argument for the right is that a person found not guilty should not carry a permanent digital mark that harms livelihood and dignity, and that de-indexing and masking are narrow because the record itself is not erased. The argument against it is that open justice and the public's right to know need accessible records, that the press may be chilled, and that deciding who deserves to be forgotten invites inconsistency and misuse by powerful people.

The law remains contested. In July 2024 the Supreme Court stayed a Madras High Court order directing the Indian Kanoon website to take down a judgment, and it has yet to settle the question. A High Court Judgment binds only courts within its territory.

**Source:** *Laksh Vir Singh Yadav v. Union of India and connected matters*, 2026:DHC:4891 (Delhi High Court, 29 May 2026)

## QUESTIONS

**Q13.** The Delhi High Court decided more than thirty-five petitions together on 29 May 2026. Which option correctly states the question the Court answered and how it resolved it?

(A) Whether Article 21 contains a right to be forgotten and how to balance it with open justice; it does, as a facet of informational privacy.

(B) Whether a person acquitted of a charge may sue a newspaper for damages for publishing the report; the Court held that the person may.

(C) Whether open justice outranks privacy in every case; the Court held that open justice prevails and refused all relief.

(D) Whether the Supreme Court's stay of the Madras High Court order binds Delhi; the Court held that it does and refused relief.

**Q14.** In 2024, Dev was acquitted of a cheating charge by a Delhi court. Searching his name still returns news reports of the arrest, harming his job prospects. He petitions the Delhi High Court. Is he entitled to seek de-indexing of his name from search results?

(A) Yes, and the Court may also order the news websites to delete their reports, since an acquittal erases the story.

(B) No, because relief reaches only people whose cases were quashed or settled, not those acquitted after a trial.

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(C) Yes, because an acquitted person is among those to whom relief is generally open, and de-indexing is a remedy the Court approved.

(D) No, because open justice requires that reports of an arrest remain searchable even after the person is acquitted.

**Q15.** Rajan, a sitting legislator, was acquitted in 2023 of a corruption charge, but the contract involved is the subject of continuing public debate. He asks the Delhi High Court to order de-indexing of articles naming him. Is he likely to obtain it?

(A) No, because relief is generally refused to public figures where the matter still concerns public debate, even though he was acquitted.

(B) Yes, because an acquitted person should not carry a permanent digital mark, and his public career does not change that.

(C) Yes, through masking of the Judgment rather than de-indexing, since de-indexing is meant for people who are mentioned incidentally.

(D) No, because the Supreme Court of India stayed the Madras High Court order in July 2024, ending any right to be forgotten.

**Q16.** Pavan was convicted of a sexual offence against Kavita. A public website's digital copy of the Judgment names Kavita, and she asks the Delhi High Court to have her name masked. The prosecution says relief is generally refused where the conviction is for an offence against a woman, so her request must fail. Is Kavita entitled to seek masking?

(A) No, because the refusal category for offences against women covers every request that arises from a Judgment convicting an offender.

(B) Yes, because victims of sexual offences are generally eligible, and the refusal category concerns the convicted offender, not the victim.

(C) Yes, though through de-indexing rather than masking, because masking is reserved for persons who were acquitted or discharged.

(D) No, because open justice requires that a victim's name stay in the public digital copy of a Judgment.

**Q17.** Meera was acquitted of an offence. She asks the Delhi High Court to direct its Registry to erase the case file from the official record so that no trace of the case remains. Can the Court grant that?

(A) Yes, because a right to be forgotten under Article 21 includes erasing the record of a case that ended in acquittal.

(B) Yes, because acquittal restores her privacy and open justice does not extend to cases that have closed.

(C) No, because a right to be forgotten does not exist under Article 21 of the Constitution of India.

(D) No, because the approved remedies leave official records untouched, and she may seek de-indexing or masking of digital copies instead.

**Q18.** After the Delhi High Court's Judgment, two acquitted persons seek de-indexing: Arun before a trial court in Delhi and Bina before a trial court in Kolkata. Each cites the Judgment. Which statement is correct on the passage?

(A) The Judgment binds both courts, because it recognises a facet of a fundamental right under Article 21.

(B) The Judgment binds the Delhi court but not the Kolkata court, because a High Court binds only courts within its own territory.

(C) The Judgment binds neither court, because the Supreme Court of India stayed the Madras High Court order in July 2024.

(D) Both courts are bound for now, because a High Court Judgment stands until the Supreme Court of India decides the question.

## PASSAGE 4 (Q19–Q24)

Asian News International (ANI), a news agency, sued OpenAI in 2024. It said OpenAI copied and stored its articles without permission to train ChatGPT, its artificial intelligence (AI) chatbot, and that ChatGPT sometimes reproduced its content or wrongly attributed false statements to ANI. OpenAI answered that training is a transformative research use, that facts are not protected by copyright, and that its servers are in the United States. ANI asked for an interim injunction, which is an order stopping the defendant until the final trial.

On 24 July 2026, in ANI Media Pvt. Ltd. v. OpenAI Inc & Anr., reported as 2026 LiveLaw (Del) 687, Justice Amit Bansal of the Delhi High Court dismissed the application. The Judgment asked two questions. Can an Indian court hear a case against a foreign AI company? And does storing copyrighted news to train an AI model infringe copyright, or is it fair dealing?

On jurisdiction, the Court upheld ANI's position. It reasoned that the chain begins with ANI's works being accessed and transmitted from India, and that storage on servers abroad is only the last step in that chain. On infringement, it accepted that storing the articles to train the model amounts to reproduction, which is an exclusive right of a copyright owner under Section 14 of the Copyright Act, 1957. It held, however, that at this stage such storage is covered by Section 52(1)(a)(i) of the Copyright Act, 1957, which treats a fair dealing with a work for the purposes of private or personal use, including research, as not an infringement under Section 51 of that Act. The Court said this exception is not limited to non-commercial use and that research can include machine-led research.

On ChatGPT's outputs, the Court found they were not substantially similar to ANI's articles, so they did not infringe. It held that ANI had failed to satisfy it that memorisation or

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regurgitation of ANI's work had occurred in responses. It also concluded that irreparable injury would be caused to OpenAI and to the public if an interim injunction were granted.

This is a prima facie finding, not a final decision, and the main suit is still pending. ANI appealed, and on 15 September 2026 a Division Bench of Justices Avneesh Jhingan and Manmeet Pritam Singh Arora issued notice to OpenAI.

OpenAI's side argues that copyright protects expression rather than facts, that the model learns patterns instead of reproducing articles, and that stopping a widely used tool would harm the public. ANI's side argues that scraping and storing paid journalism for a commercial product is not private use or research in the ordinary sense, that public access is not a licence to copy, and that wrong attributions and close reproductions can damage its reputation and licensing market.

**Source:** *ANI Media Pvt. Ltd. v. OpenAI Inc & Anr.*, 2026 LiveLaw (Del) 687 (Delhi High Court, 24 July 2026)

## QUESTIONS

**Q19.** The Delhi High Court upheld ANI's position that an Indian court could hear the case against a foreign artificial intelligence company. Which fact, if established, would most weaken the Court's reasoning on jurisdiction?

- (A) ANI's works were first accessed and transmitted from outside India, so the chain of copying never began in India.
- (B) ChatGPT's responses were not substantially similar to ANI's articles, so no output copied any protected expression.
- (C) Research can include machine-led research under Section 52(1)(a)(i) of the Copyright Act, 1957, even for commercial users.
- (D) OpenAI stores the articles on servers in the United States, which is the last step in the chain of copying.

**Q20.** Lekhak Labs, a company in the State of Nirmalya, copies and stores thousands of articles of the Daily Deepak, a news publisher, to train a chatbot that it sells for profit. The publisher seeks an interim injunction, saying commercial use cannot be research. Can Lekhak Labs rely on fair dealing for research at this stage?

- (A) No, because fair dealing for research is limited to non-commercial use, and Lekhak Labs sells the chatbot for profit.
- (B) No, because research means human study, and machine-led research falls outside Section 52(1)(a)(i) of the Copyright Act, 1957.
- (C) Yes, because storing articles for training is not reproduction at all, so no exclusive right of the publisher is engaged.

(D) Yes, because the exception is not limited to non-commercial use, and research can include machine-led research.

**Q21.** A chatbot answers a user's question about a flood with a paragraph that carries the same facts as a news agency's report, but in different words and structure. The agency sues, saying the answer infringes its report. Will the agency succeed in showing infringement through that output?

- (A) Yes, because any output that carries the same facts as a protected report copies its content and is an infringement.
- (B) No, because an output that carries only the same facts in different words and structure is not substantially similar to the report.
- (C) Yes, because commercial chatbots must pay for every article they learn from, which makes each answer a derivative copy.
- (D) No, because outputs of an artificial intelligence system can never infringe copyright, since the model learns patterns instead.

**Q22.** In a similar dispute in the State of Nirmalya, a Single Judge dismisses a publisher's application for an interim injunction against an artificial intelligence company, on a prima facie view that training is fair dealing. The publisher appeals and a Division Bench issues notice. The publisher says the notice undoes the dismissal, and the company says the finding settles the main suit. Which statement is accurate?

- (A) Both are right, since notice on an appeal suspends the order and the prima facie finding binds the trial.
- (B) Neither follows: the finding is only prima facie, the main suit is pending, and notice on an appeal does not itself set the order aside.
- (C) Only the publisher is right, because a Division Bench issuing notice shows the Single Judge's finding was wrong.
- (D) Only the company is right, because a reasoned dismissal after a full hearing amounts to a final decision on fair dealing.

**Q23.** Videsh Labs, whose servers are abroad, stored the archive of Bharat Samachar, an Indian publisher, accessed from India, to train a chatbot. The publisher shows that the chatbot, when prompted, reproduced one full article word for word. It seeks an interim injunction in the Delhi High Court. Applying the reasoning of the Judgment, which outcome is most supportable?

- (A) The court lacks jurisdiction because the servers are abroad, and the stored copies infringe because training is not research.
- (B) The court has jurisdiction, and nothing can be restrained, because research covers both the training and every output of the chatbot.

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(C) The court lacks jurisdiction over the storage but may restrain the word-for-word output, because that reproduction happens inside India.

(D) The court has jurisdiction and storage for training is covered at this stage, but the word-for-word output may support an injunction.

**Q24.** Sahayak Limited runs a free translation tool used by thousands of schools and trained on a publisher's books. The publisher shows a prima facie case that is only arguable and asks for an interim injunction that would shut the tool. May the Court weigh the harm of stopping the tool in deciding the request?

(A) No, because harm to the public is irrelevant, and only the loss to the copyright owner counts.

(B) Yes, but it must first grant a short injunction and review it after the final trial.

(C) Yes, because the Judgment treated irreparable injury to the defendant and the public as a reason against an interim injunction.

(D) No, because a final finding on infringement is needed before any harm can be weighed at the interim stage.

## PASSAGE 5 (Q25–Q30)

The law says that a person sentenced to death must be hanged by the neck till dead. This was Section 354(5) of the Code of Criminal Procedure, 1973, and it is now Section 393(5) of the Bharatiya Nagarik Suraksha Sanhita, 2023, which provides that when any person is sentenced to death, the sentence shall direct that he be hanged by the neck till he is dead. The substance is unchanged. In *Deena v. Union of India*, decided in 1983, a three-Judge Bench of the Supreme Court of India upheld hanging as constitutional, reasoning that unconsciousness comes almost instantly. Rishi Malhotra filed a public interest petition in 2017, and notice was issued that October. He asked for a less painful method, such as lethal injection.

On 18 August 2026, in *Rishi Malhotra v. Union of India*, reported as 2026 INSC 873, a Bench of Justice Vikram Nath and Justice Sandeep Mehta dismissed the petition. The question was whether hanging as the only method of execution violates Articles 14 and 21 of the Constitution of India, and whether *Deena* should be sent to a larger Bench for reconsideration.

The petitioner argued that Article 21 of the Constitution of India protects dignity even at death, and that a method causing avoidable pain or prolonged suffering may be cruel. He said medical understanding had moved on since 1983 and that the Law Commission of India itself raised doubts about hanging in its 187th Report in 2003.

The Union argued that the method of execution is a matter of legislative policy, and that Parliament kept hanging when it enacted the Bharatiya Nagarik Suraksha Sanhita, 2023. It said

there is no credible record of botched executions by hanging in India, while lethal injection has failed in some American states.

The Court accepted these submissions. It found no convincing evidence that lethal injection is more humane than hanging. It treated the recommendation of the Law Commission as advisory, a suggestion for Parliament and not a binding rule. It held that *Deena*, a decision of a larger Bench, remains binding and that a smaller Bench cannot depart from it without compelling new material. It added that the dismissal does not shut out a future challenge should compelling scientific, medical or empirical evidence emerge.

The ruling concerns only the method of execution. It does not touch the death penalty itself, which is still confined to the rarest of rare cases under *Bachan Singh v. State of Punjab*, decided in 1980.

**Source:** *Rishi Malhotra v. Union of India*, 2026 INSC 873 (Supreme Court of India, 18 August 2026)

## QUESTIONS

**Q25.** Assertion (A): In *Rishi Malhotra v. Union of India*, the Court had to decide whether *Deena v. Union of India* should be sent to a larger Bench for reconsideration. Reason (R): Section 354(5) of the Code of Criminal Procedure, 1973 is now Section 393(5) of the Bharatiya Nagarik Suraksha Sanhita, 2023, with the substance unchanged.

(A) Both A and R are true, and R is the correct explanation of A.

(B) Both A and R are true, but R is not the correct explanation of A.

(C) A is true, but R is false.

(D) A is false, but R is true.

**Q26.** In the Republic of Satyadesh, a three-Judge Bench of its Supreme Court upheld a method of execution decades ago. A two-Judge Bench is now asked to hold that method unconstitutional, the petitioner offering only an argument that the earlier reasoning was mistaken and no new material. May the two-Judge Bench do so?

(A) No, because a smaller Bench cannot depart from a binding larger-Bench decision without compelling new material.

(B) Yes, because the earlier ruling is decades old, so the passage of time makes a binding decision open to revision.

(C) Yes, because a petition based on dignity under Article 21 obliges the Bench to reconsider an earlier decision.

(D) No, because only the legislature can alter a method of execution and courts cannot examine it.

**Q27.** A two-Judge Bench hears Dhruv's petition against hanging. He relies on reports that several foreign jurisdictions switched to lethal injection and call it gentler, and on the Law

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SLA CLAT SECTIONAL TEST — LEGAL CURRENT AFFAIRS Set 2

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Commission of India's 2003 doubts about hanging. The Union answers with records of lethal injections failing in some foreign jurisdictions. Which approach follows the reasoning of the Judgment?

- (A) Treat the foreign switch as new material, since it is more recent than 1983, and depart from Deena v. Union of India.
- (B) Refer the matter to a larger Bench, because the Law Commission's doubts bind the Court once Parliament has not acted.
- (C) Reject both as compelling new material, as the foreign experience is contested and the Law Commission's view is only advisory.
- (D) Direct the Union to adopt lethal injection, since delay in reform makes the Law Commission's suggestion enforceable.

**Q28.** After Rishi Malhotra's petition was dismissed, a lawyer, Sonal, writes that the Supreme Court of India has now approved the death penalty for all murder convictions. Is Sonal's statement sound?

- (A) Yes, because upholding hanging as the method means the Court has approved the death penalty as the standard sentence.
- (B) Yes, because the Court called hanging lawful, which leaves no limit on when the penalty is available.
- (C) No, because the ruling concerns only the method of execution, and the penalty stays confined to the rarest of rare cases.
- (D) No, because the Court struck down the death penalty in the same Judgment and only the method remains in question.

**Q29.** In 2029, the prisoner Ishaan files a petition citing a peer-reviewed forensic study showing that hanging causes prolonged suffering in a measurable share of cases. The Union says the 2026 dismissal ends the matter. Can Ishaan's challenge go forward?

- (A) No, because a dismissal on the merits bars every later petition on the same method of execution.
- (B) Yes, because the Court left a future challenge open if compelling scientific, medical or empirical evidence emerges, which such a study may supply.
- (C) Yes, because medical understanding has moved on since 1983, so Deena v. Union of India no longer binds any Bench.
- (D) No, because a study published after the dismissal cannot be placed before the Court, which decided on the material then available.

**Q30.** After the Judgment, Parliament considers replacing hanging with lethal injection in Section 393(5) of the Bharatiya Nagarik Suraksha Sanhita, 2023, citing the Law Commission of India's doubts. A member says the dismissal of

Rishi Malhotra's petition forbids such a change. Is it open to Parliament to make that change?

- (A) Yes, because the Court accepted that method of execution is legislative policy and treated the Law Commission's view as a suggestion for Parliament.
- (B) Yes, provided a larger Bench first approves the change, since Deena v. Union of India upheld hanging as constitutional.
- (C) No, because the dismissal shows the Court found hanging to be the only constitutional method of execution.
- (D) No, because the Law Commission's recommendation was rejected, and Parliament cannot act on a rejected report.

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