**TRAINING OF TRAINERS FOR HIGH COURT JUSTICES: JUDGE'S IN-CHARGE/ CHAIRPERSON AND HON'BLE JUDGES, MEMBER OF GOVERNING BODY OF SJA'S [P-1343]**
**(22nd & 23rd April 2023)**

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| | **CASE LAW JURISPRUDENCE ( Supreme Court)** |
| **1.** | ***Satender Kumar Antil vs. Central Bureau of Investigation and Anr.*** (03.02.2023 - SC Order) : MANU/SCOR/16717/2023<br><br>Satender Kumar Antil Vs. CBI reported in (2022) 10 SCC 51 and the judgment in Siddharth vs. State of U.P. (2022) 1 SCC 676 be ***incorporated as part of the curriculum of the State Judicial Academies and the National Judicial Academy.*** |
| **2.** | ***Gohar Mohammed vs. Uttar Pradesh State Road Transport Corporation and Ors.*** (15.12.2022 - SC) : MANU/SC/1649/2022<br><br>37 Directions for implementation of the 'Claims Tribunal Agreed Procedure' (CAPT) which is substituted by a modified procedure, as noted above, is already there. However, we find that there is no proper implementation thereof by the Claims Tribunals. We, thus, ***direct that there should be programs from time to time, in all State Judicial Academies to sensitize the presiding officers of the Claims Tribunals, senior police officers of the State Police as well as Insurance Company for the implementation of the said Procedure.*** |
| **3.** | ***In Re: Expeditious Trial of Cases Under Section 138 of N.I. Act, 1881*** AIR 2022 SC 2481 |

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| | 10. Training: The identified judicial officers, who are to preside over the Special Courts, be imparted specialized training***. A four-week training programme by the State Judicial Academies on topics of substantive, procedure, and evidence law related to the offenses under the NI Act shall be conducted for them***. Further, a detailed ready reckoner with governing case law and practice directions may be prepared and circulated to assist them in the adjudicatory exercise. |
| **4.** | ***Patil Automation Private Limited and Ors. vs. Rakheja Engineers Private Limited*** (2022)10 SCC 1<br><br>74. Mediation can become a potent alternate dispute resolution device. There are, however, a few indispensable requirements. The first requirement is the existence of adequate infrastructural facilities and, what is more important, the availability of trained and skilled Mediators. The role of the Mediator, as per Rule (5) of the Rules, is to facilitate the voluntary resolution of a commercial dispute and assist the parties in this regard. How can a Mediator, who is not properly trained, fulfill his responsibility Under Rule (5)? Another area of concern is the availability in the number of Mediators in the country, particularly, in the light of lowering of the monetary valuation from Rs. 1 crore to Rs. 3 lakhs. It is all well to pass a law with sublime objects as in this case. However, the goal will not be realized unless the State Governments and all other relevant Authorities bestow their attention in the matter of providing adequate facilities. Knowledge of the laws, which are the subject matter of the suits under the Act, is indispensable for a Mediator to effectively discharge his duties. His role is supreme and it is largely shaped by his own knowledge of the law that governs commercial cases. ***There must be training by Experts, including at the State Judicial Academies. This must be undertaken on a regular and urgent basis, particularly keeping in mind when there is a dearth of trained mediators. There is a need to have a dedicated bar for mediation.*** The effective participation of the bar which must be adequately remunerated for its service will assist in mediation evolving. The concerned High Court may also undertake periodic exercise to establish a panel of trained mediators in District and Taluka levels as per need. |
| **5.** | ***Patan Jamal Vali vs. The State of Andhra Pradesh*** AIR 2021 SC 2190<br><br>39. ***The National Judicial Academy and State Judicial Academies are requested to sensitize trial and appellate judges to deal with cases involving survivors of sexual abuse.*** This training should acquaint judges with the special provisions, concerning survivors, such as those outlined above. It should also cover guidance on the legal weight to be attached to the testimony of such witnesses/survivors, consistent with our holding above. ***Public prosecutors and standing counsel should also undergo similar training in this regard.*** |
| **6.** | ***Aparna Bhat and Ors. vs. State of Madhya Pradesh and Ors.*** AIR 2021 SC 1492<br><br>Training for gender sensitization for judges at all judiciary levels should be conducted at regular intervals by the National Judicial Academy and State Judicial Academies. |
| **7.** | ***Union Public Service Commission vs. Bibhu Prasad Sarangi and Ors.*** (2021) 4 SCC 516<br><br>7. ***Cutting, copying, and pasting from the judgment of the Tribunal, which is placed in issue before the High Court, may add to the volume of the judgment.*** The size of judicial output does not necessarily correlate to a reasoned analysis of the core issues in a case. Technology enables judges to bring speed, efficiency, and accuracy to judicial work. But a prolific use of the 'cut-copy-paste' function should not become a substitute for substantive reasoning which, in the ultimate analysis, is the defining feature of the judicial process. Judges are indeed hard-pressed for time, faced with burgeoning vacancies and large case-loads. ***Crisp reasoning is perhaps the answer.*** Doing what the High Court has done in the present case presents a veneer of judicial reasoning, bereft of the substance which constitutes the heart of the judicial process. ***Reasons constitute the soul of a judicial decision***. Without them, one is left with a shell. The shell provides neither solace nor satisfaction to the litigant. We are constrained to make these observations since what we have encountered in this case is no longer an isolated aberration. This has become a recurring phenomenon. ***The National Judicial Academy will do well to take this up. How judges communicate in their judgments is a defining characteristic of the judicial process.*** While it |

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| | is important to keep an eye on the statistics on disposal, there is a higher value involved. The quality of justice brings legitimacy to the judiciary. |
| **8.** | ***Bajaj Allianz General Insurance Company Private Ltd. vs. Union of India and Ors.*** (16.11.2021 - SC Order) : MANU/SCOR/43928/2021<br><br>The District Medical Board is also directed to follow the guidelines issued by the Ministry of Social Justice and Empowerment, Government of India vide Gazette Notification S. No. 61, dated 05.01.2018, for issuance of disability Certificates in order to bring Pan India uniformity.<br><br>The consequence is that the MACT would ascertain that the permanent disability certificate issued by the District Medical Board or body authorized by it is in accordance with the Gazette Notification alone.<br><br>Once the certificate is issued in this manner, the same can be marked for purposes of being taken into consideration as evidence without the necessity of summoning the concerned witness to give a formal proof of the documents unless there is some reason for suspicion on the document; (v) The aspect of disparity in the Tax Deduction at Source (TDS) certificate in Motor Accident Claims, wherein from 10% to 20% dependent on whether the claimants have a Pan Card or not can be redressed by a direction that the Legal Services Authority or any Agency/Mediation Group should assist the claimant for obtaining a Pan Card, where the claimant does not have one, in order to avoid 20% deduction of tax at source. The format of the applications for compensation and motor accidents claims is being modified by inserting the relevant column just after the requirement to set out whether the claimant is an income tax assessee or not and whether the claimant has a Pan Card or not and in the case has a Pan Card to provide the Pan No. and in case the application is so pending, provide the application/Reference No. The formats of the applications across the country be suitably amended to facilitate this process. Learned Additional Solicitor General appears to have addressed a communication in the larger context to the Finance Minister and we would expect the Finance Ministry to bestow urgent consideration on the same; vi) On the issue of the direction passed on 16.03.2021 for circulation of those directions to the local Police stations, MACT Courts to improve the efficiency, learned Additional Solicitor General submits that on verification, it is found that only 13 States have complied with the same.<br><br>***The Registrar's General would also interact with the Judicial Academy for conducting training and awareness sessions periodically not only for the Presiding Officers of the MACTs. but also Police Officers, nodal persons of the insurer, Presiding Officers of Lok Adalat/ Online Mediation Group etc. to enhance the awareness in implementation of the directions.*** |
| **9.** | ***M.R. Krishna Murthi vs. The New India Assurance Co. Ltd. and Ors.*** (2020) 15 SCC 493<br><br>39. There should be programmes from time to time, in all State Judicial Academies, to sensitize Presiding Officers of Claims Tribunals, Senior Police Officers of State Police as well as Insurance Company for implementation of the Procedure. |
| **10.** | ***Ram Murti Yadav vs. State of Uttar Pradesh and Ors.*** (2020)1SCC801<br><br>14. It has to be kept in mind that a person seeking justice, has the first exposure to the justice delivery system at the level of subordinate judiciary, and thus a sense of injustice can have serious repercussions not only on that individual but can have its fall out in the society as well. Therefore, the ordinary litigant must have complete faith at this level and no impression can be afforded to be given to a litigant which may even create a perception to the contrary as the consequences can be very damaging. Therefore, ***the standard or yardstick for judging the judicial officer's conduct has to be strict.*** Having said so, ***we must also observe that not every inadvertent flaw or error will make a judicial officer culpable. The State Judicial Academies undoubtedly has a stellar role to perform in this regard.*** A bona fide error may need correction and counseling. But conduct that creates a perception beyond the ordinary cannot be countenanced. ***For a trained legal mind, a judicial order speaks for itself.*** |

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| **11.** | ***Dheeraj Mor vs. Hon'ble High Court of Delhi*** (2020) 7 SCC 401<br><br>27. Another question which falls for consideration is the method of recruitment to the posts in the cadre of Higher Judicial Service i.e. District Judges and Additional District Judges. At the present moment, there are two sources for recruitment to the Higher Judicial Service, namely, by promotion from amongst the members of the Subordinate Judicial Service and by direct recruitment. The subordinate judiciary is the foundation of the edifice of the judicial system. It is, therefore, imperative, like any other foundation, that it should become as strong as possible. The weight on the judicial system essentially rests on the subordinate judiciary. ***While we have accepted the recommendation of the Shetty Commission which will result in the increase in the pay scales of the subordinate judiciary, it is at the same time necessary that the judicial officers, hard-working as they are, become more efficient. It is imperative that they keep abreast of knowledge of law and the latest pronouncements***, and it is for this reason that the ***Shetty Commission has recommended the establishment of a Judicial Academy, which is very necessary***. At the same time, we are of the opinion that there has to be certain minimum standard, objectively adjudged, for officers who are to enter the Higher Judicial Service as Additional District Judges and District Judges. While we agree with the Shetty Commission that the recruitment to the Higher Judicial Service i.e. the District Judge cadre from amongst the advocates should be 25 per cent and the process of recruitment is to be by a competitive examination, both written and viva voce, we are of the opinion that there should be an objective method of testing the suitability of the subordinate judicial officers for promotion to the Higher Judicial Service. Furthermore, there should also be an incentive amongst the relatively junior and other officers to improve and to compete with each other so as to excel and get quicker promotion. In this way, we expect that the calibre of the members of the Higher Judicial Service will further improve. In order to achieve this, while the ratio of 75 per cent appointment by promotion and 25 per cent by direct recruitment to the Higher Judicial Service is maintained, we are, however, of the opinion that there should be two methods as far as appointment by promotion is concerned: 50 per cent of the total posts in the Higher Judicial Service must be filled by promotion on the basis of principle of merit-cum-seniority. For this purpose, the High Courts should devise and evolve a test in order to ascertain and examine the legal knowledge of those candidates and to assess their continued efficiency with adequate knowledge of case-law. The remaining 25 per cent of the posts in the service shall be filled by promotion strictly on the basis of merit through the limited departmental competitive examination for which the qualifying service as a Civil Judge (Senior Division) should be not less than five years. The High Courts will have to frame a Rule in this regard. |
| **12.** | ***Swapnil Tripathi and Ors. vs. Supreme Court of India and Ors.*** AIR 2018 SC 4806<br><br>***The e-Courts Project also includes capacity building of officers,*** ICT provisioning of District Legal Service Authorities, Taluka Legal Service Committees, State Judicial Academies and judicial process re-engineering. Currently, the e-Courts project caters to more than 21,000 courts and has been implemented in more than 600 districts, 3,000 court complexes and 6,400 establishments. |
| **13.** | ***Re: Exploitation of Children in Orphanages in the State of Tamil Nadu vs. Union of India and Ors.*** (2017)7SCC578<br><br>9. ***The training of personnel as required by the JJ Act and the Model Rules is essential.*** There are an adequate number of academies that can take up this task including police academies and judicial academies in the States. ***There are also national-level bodies that can assist in this process of training including bodies like the Bureau of Police Research and Training, the National Judicial Academy and Ors. including established NGOs***. |
| **14.** | ***Voluntary Health Association of Punjab vs. Union of India and Ors.*** (2016) 10 SCC 265<br><br>(g) ***The judicial officers who are to deal with these cases under the Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994 shall be periodically imparted training in the Judicial Academies or Training Institutes,*** as the case may be, so that they can be sensitive and develop the requisite |

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| | sensitivity as projected in the objects and reasons of the Act and its various provisions and in view of the need of the society. |
| **15.** | ***Suresh vs. State of Haryana*** (2015) 2 SCC 227<br><br>14. We are of the view that it is the ***duty of the Courts, on taking cognizance of a criminal offence, to ascertain whether there is tangible material to show the commission of the crime, whether the victim is identifiable, and whether the victim of crime needs immediate financial relief.*** On being satisfied on an application or on its own motion, ***the Court ought to direct grant interim compensation, subject to final compensation being determined later***. Such duty continues at every stage of a criminal case where compensation ought to be given and has not been given, irrespective of the application by the victim. At the ***stage of the final hearing it is obligatory on the part of the Court to advert to the provision and record a finding whether a case for grant of compensation has been made out and, if so, who is entitled to compensation and how much***. Award of such compensation can be interim. The gravity of offence and the need of the victim are some of the guiding factors to be kept in mind, apart from such other factors as may be found relevant in the facts and circumstances of an individual case. We are also of the view that there is a need to consider upward revision in the scale for compensation and pending such consideration to adopt the scale notified by the State of Kerala in its scheme unless the scale awarded by any other State or Union Territory is higher. The States of Andhra Pradesh, Madhya Pradesh, Meghalaya, and Telangana are directed to notify their schemes within one month from receipt of a copy of this order. ***We also direct that a copy of this judgment be forwarded to National Judicial Academy so that all judicial officers in the country can be imparted requisite training to make the provision operative and meaningful.*** |
| **16.** | ***State of Gujarat v. Kishanbhai,*** (2014) 5 SCC 108<br><br>22. Every acquittal should be understood as a failure of the justice delivery system, in serving the cause of justice. Likewise, every acquittal should ordinarily lead to the inference, that an innocent person was wrongfully prosecuted. It is therefore essential that every State should put in place a procedural mechanism that would ensure that the cause of justice is served, which would simultaneously ensure the safeguard of interest of those who are innocent. In furtherance of the above purpose, it is considered essential to direct the Home Department of every State to examine all orders of acquittal and to record reasons for the failure of each prosecution case. A Standing Committee of senior officers of the police and prosecution departments should be vested with the aforesaid responsibility. The consideration at the hands of the above Committee should be utilized for crystallizing mistakes committed during the investigation, and/or prosecution, or both. ***The Home Department of every State Government will incorporate into its existing training programmes for junior investigation/prosecution officials course content drawn from the above consideration.*** The same should also constitute course content of refresher training programmes for senior investigating/prosecuting officials. The above responsibility for preparing training programmes for officials should be vested in the same Committee of senior officers referred to above. ***Judgments like the one in hand (depicting more than ten glaring lapses in the investigation/prosecution of the case), and similar other judgments, may also be added to the training programmes.*** The course content will be reviewed by the above Committee annually, on the basis of fresh inputs, including emerging scientific tools of investigation, judgments of courts, and on the basis of experiences gained by the Standing Committee while examining failures, in unsuccessful prosecution of cases. We further direct, that the above training programme be put in place within 6 months. This would ensure that those persons who handle sensitive matters concerning investigation/prosecution are fully trained to handle the same. Thereupon, if any lapses are committed by them, they would not be able to feign innocence when they are made liable to suffer departmental action for their lapses. |
| **17.** | ***Brij Mohan Lal vs. Union of India and Ors*** (2012) 6 SCC 502<br><br>141. To meet the expenses of the State Government for improving the Justice Delivery System, the 13th Finance Commission has, therefore, recommended a total grant of Rs. 5,000 crores under the following specific heads: |

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| | (vi) State Judicial Academies - Rs. 300 crores |
| **18.** | ***OMA and Ors. vs. State of Tamil Nadu*** AIR 2013 SC 825<br><br>21. Criminal Court while deciding criminal cases shall not be guided or influenced by the views or opinions expressed by Judges on a private platform. The views or opinions expressed by the Judges, jurists, academicians, law teachers may be food for thought. ***Even the discussions or deliberations made on the State Judicial Academies or National Judicial Academy at Bhopal, only update or open new vistas of knowledge of judicial officers.*** Criminal Courts have to decide the cases before them examining the relevant facts and evidence placed before them, applying binding precedents. Judges or academicians opinions, predilection, fondness, inclination, proclivity on any subject, however eminent they are, shall not influence a decision making process, especially when judges are called upon to decide a criminal case which rests only on the evidence adduced by the prosecution as well as by the defence and guided by settled judicial precedents. ***National Judicial Academy and State Judicial Academies should educate our judicial officers in this regard so that they will not commit such serious errors in future.*** |
| **19.** | ***All India Judges' Assn. (3) v. Union of India, (2002) 4 SCC 247***<br><br>31. This Court has observed that in order ***to enter the judicial service, an applicant must be an advocate of at least three years' standing***. Rules were amended accordingly. With the passage of time, experience has shown that the best talent which is available is not attracted to the judicial service. A bright young law graduate after 3 years of practice finds the judicial service not attractive enough. ***It has been recommended by the Shetty Commission after taking into consideration the views expressed before it by various authorities, that the need for an applicant to have been an advocate for at least 3 years should be done away with***. ***After taking all the circumstances into consideration, we accept this recommendation of the Shetty Commission*** and the argument of the learned amicus curiae that it should be no longer mandatory for an applicant desirous of entering the judicial service to be an advocate of at least three years' standing. We, accordingly, in the light of experience gained after the judgment in the All India Judges case direct to the High Courts and to the State Governments to amend their rules so as to enable a fresh law graduate who may not even have put in three years of practice, to be eligible to compete and enter the judicial service. We, ***however, recommend that a fresh recruit into the judicial service should be imparted training of not less than one year, preferably two years.*** |
| **20.** | ***All India Judges' Assn. v. Union of India (1993) 4 SCC 288***<br><br>7 (ii) The recruitment of law graduates as judicial officers without any training or background of layering has not proved to be a successful experiment. ***Considering the fact that from the first day of his assuming office, the judge has to decide, among others, question of life, liberty, property and reputation of the litigants, to induct graduates fresh from the Universities to occupy seats of such vital powers is neither prudent nor desirable.*** Neither knowledge derived from books nor pre-service training can be an adequate substitute for the first-hand experience of the working of the court-system and the administration of justice begotten through legal practice. The practice involves much more than mere advocacy a lawyers has to interact with several components of the administration of justice. Unless the judicial officer is familiar with the working of the said components, his education and equipment as a judge is likely to remain incomplete. ***The experience as a lawyer is, therefore, essential to enable the judge to discharge his duties and functions efficiently and with confidence and circumspection. Many States have hence prescribed a minimum of three years' practice as a lawyer as an essential qualification for appointment as a judicial officer at the lowest rung.***<br><br>7 (viii) In-service Training: Subsequent to the hearing of the main petition, the Union Government has announced the establishment of a National Judicial Academy for comprehensive training of judicial personnel. A Committee under the chairmanship of the Chief Justice of India has been constituted. ***The National Judicial Academy when constituted, we hope, will take over in a comprehensive way all aspects of the training of judicial officers at all stages.*** In this view of the matter, ***we delete the directions issued to the States for the establishment of*** |

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| | ***Training Institutes and make it optional for the States to have such Training Institutes either independently or jointly with other States, if they find it necessary.*** |
| | **CASE LAW JURISPRUDENCE ( High Court)** |
| **21.** | ***Iffco Tokiyo General Insurance Company Ltd. vs. Diwakar Singh and Ors.*** (14.03.2023 - MPHC) : MANU/MP/0682/2023 &<br><br>***The Oriental Insurance Co. Ltd. vs. Anita Tiwari and Ors.*** (20.02.2023 - MPHC) : MANU/MP/0607/2023<br><br>xiv) Registrar General of the High Courts, States Legal Services Authority and State Judicial Academies are requested to sensitize all stakeholders as early as possible with respect to the provisions of Chapters XI and XII of the M.V. Amendment Act and the M.V. Amendment Rules, 2022 and to ensure the mandate of law. |
| **22.** | ***Rajesh Tyagi and Ors. vs. Jaibir Singh and Ors.*** (08.01.2021 - DELHC) : MANU/DE/0051/2021<br><br>17. A combined reading/implementation of DAR (Detailed Accident Report) regime - which is a technology platform, allied with reference of the victims to Medical Board, as a matter of rule for availing certificates of disability, and on grant of just compensation, the transfer of the same as digital transfer to the bank accounts of the victims, would be a huge and transformational change. Providing such avenues may not suffice. The stakeholders need to be made aware of and be ready and willing to take full advantage of it. Once there is exposure and experience of this well-oiled systemic change, the benefits that flow to ease the lives of the traumatized victims would be immense and deserving. In fact, this Court feels that the courts below, which are the beneficiaries to this ready access, need to be sensitized to its uses and benefits and SCRB even took the initiative of a Lecture-Demonstration to Judicial Officers in Chennai and its suburbs at the Tamil Nadu State Judicial Academy. Maybe, it would make sense to introduce and familiarize the concerned Judicial Officers, elsewhere in Tamil Nadu also, with this new technological regime, which if accessed by them with intent and alacrity, would enable them to advance in their careers too with a better performance. Ultimately, Justice Hand could be falsified by Courts of Law turning into "Courts of Justice" after all. |
| **23.** | ***Sangamitra Acharya and Ors. vs. State (NCT of Delhi) and Ors.*** (18.04.2018 - DELHC) : MANU/DE/1453/2018<br><br>152. The Court considers it appropriate to direct that the Delhi Police shall prepare a manual detailing how to deal with cases under the MHA (Mental Health Act, 1987) and, after 7th July 2018, the Mental Healthcare Act 2017. It must prepare a protocol in consultation with legal experts as well as experts in mental healthcare and spread awareness on the issue of mental health. The Central and State Mental Health Authorities must, in collaboration with the State Judicial Academies, hold programmes on periodic basis with civil society groups, Resident's Welfare Associations, Police Officers, lawyers and Judges to sensitize them about the various compliances under the MHA and its successor, the Mental Healthcare Act 2017, and how to treat persons who are sought to be governed by the said legislation. |
| **24.** | ***The Kerala High Court Advocates' Association and Ors. vs. State of Kerala and Ors. AIR2018Ker94***<br><br>9. Considerable time has lapsed since the above-mentioned recommendations/suggestions were made and we are no closer to realizing the ideals set forth in those reports. As a matter of fact, a report published in 2016 by DAKSH, titled "The State of the Indian Judiciary", carries an article on "Budgeting for the Judiciary" by Surya Prakash B.S. which throws some light on the present day problems faced by the judiciary in various states. It notes that, in the light of the concerns expressed over the years, over low budgetary allocation to the judiciary, the 13th Finance Commission awarded a special grant of Rs. 5000 crores over a period of five years (2010-2015) |

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| | to both the Union and State Governments to be utilized for various purposes such as Operation of morning/evening/special shift courts, establishing Alternate Dispute Resolution (ADR) Centres and training of mediators/conciliators, Lok Adalaths, Legal Aid, Training of judicial officers, State Judicial Academies, Training of public prosecutors, creation of posts of court managers, maintenance of heritage court buildings. At the end of the five-year period, however, only 20% of the allocated funds stood utilized. To make matters worse, the 14th Finance Commission has dispensed with most centrally sponsored schemes and special grants, of which the grant to judiciary is also one. The onus of providing additional funds to meet the requirements of the Judiciary is, therefore, squarely on the State Governments. A comparison of the budgetary allocation made by various States, including Kerala, amongst the various social sectors, indicates that the highest allocation is for the Education Sector, followed by Health, Social Welfare and Judiciary, in that order. The low allocation for the judiciary is likely to be on account of a defective budgeting exercise that is done to determine the actual financial need of the judiciary. As mentioned in the article, "the public discourse on judicial manpower requirements is fixated with the number of judges, without considering the fact that more judges would need more support staff for them to function efficiently and effectively. An attempt at understanding manpower requirements should also factor in how increased use of technology would change the human resource requirements both quantitatively and qualitatively". The time has probably come for practices to change and a more realistic view to be taken by the State Government while allocating funds for the judiciary. |
| **25.** | ***State of J and K vs. Zulfakar Ahmad (11.03.2015 - JKHC) : MANU/JK/0136/2015***<br><br>18. Before parting with judgement, we and it necessary to express pain and anguish over mode and manner in which learned Trial Judge has dealt with the matter. ***Trial court judgment depicts traditional mind-set that victim in a rape case has to establish her non-involvement in offence.*** Such mind-set is writ large on the body of Trial Court judgement.<br><br>19. Mode and manner, in which ***Trial Court has dealt with the matter, makes us skeptical about impact of refresher training courses, seminars, symposia, undertaken by National Judicial Academy and State Judicial Academies on the approach and mind-set of our judicial officers.*** |