

Questionable urgency: On the Supreme Court's stay on G.N. Saibaba's acquittal

Swift stay on orders of **acquittal** or discharge show courts **in a bad light**

The manner in which the Supreme Court has **suspended** the operation of a Bombay High Court judgment discharging G.N. Saibaba and others in an **alleged Maoist conspiracy** case **is** quite unusual and **raises** critical questions. It is true that their **conviction** by a trial court — with Prof. Saibaba and four others being **sentenced** to life and another to 10 years under **provisions** of the Unlawful Activities (Prevention) Act (UAPA) — **was set aside** by the High Court not on **merits**, but only on technical grounds, and the state may feel **aggrieved**. However, **the apex court** could have been more **restrained** while **entertaining** an appeal against the order. The Court showed extraordinary **zeal** in fulfilling the Maharashtra government's wish to have an immediate **hearing**. **A special Bench** of Justices M.R. Shah and Bela Trivedi **was** formed to hear the appeal on a Saturday. **Consider** the circumstances: **the accused** have spent years in prison, Prof. Saibaba is **disabled**, and soon after their discharge, they were required to file a bond under a procedure that requires even those **acquitted** to be available for further **proceedings** in case there is an appeal. It is doubtful whether the Court should have responded with such **swiftness** just to suspend a judgment that has given detailed reasons for discharging the accused. After all, **appeals** against acquittals **are** not **uncommon**.

The **gist** of the High Court **verdict is** that in the case of five accused (one of them died in prison), the **sanction** for their **prosecution** under UAPA **was** invalid because **material** was placed before the **sanctioning** authority and sanction obtained on the same day, and that there was no summary of the analysis of the evidence made by an independent reviewer to **assist** the grant of sanction. In the case of Prof. Saibaba, **cognisance** was **taken** and even a witness was **examined** before the sanction order arrived, **rendering** the entire proceedings **void**. The Government may have an **arguable** case, **going by** Section 465 of the CrPC, that any error, **omission** or irregularity in the matter of sanction would not **vitiating** the trial, unless there has been a failure of justice as a result, and that it is a **curable defect**. However, these issues have been **elaborately dealt with** by the High Court. The Bench has **concluded** that **when dealing with** special laws such as the UAPA, every **safeguard** provided by the **legislature**, however small, **must** be **zealously** protected. A 1976 judgment does give the Supreme Court the power to suspend an acquittal order, but as a matter of principle, the **benefit** of acquittal or discharge **must** not be **interdicted** by an **appellate** court without a full hearing. **[Practice Exercise]**

- Red/blue coloring of words in the sentence indicates subject verb relationship; where 'red' denotes 'subject' and 'blue' denotes 'verb'.
- **Bench** (noun) – persons who administer justice न्यायपीठ

Vocabulary

1. **Questionable** (adjective) – controversial, contentious, open to question संदिग्ध
2. **Urgency** (noun) – emergency, exigency, need, stress, importunity तात्कालिकता
3. **Stay** (noun) – a suspension or postponement of judicial proceedings रोक लगाना
4. **Acquittal** (noun) – absolution, discharge, exculpation, exoneration, दोषमुक्ति, रिहाई
5. **Swift** (adjective) – quick, rapid, fast, speed तीव्र, तत्पर
6. **In a bad light** (phrase) – in a way that makes someone or something look bad
7. **Suspend** (verb) – discontinue, interrupt, delay, hang, stop निलंबित करना, लटकाना
8. **Alleged** (adjective) – so-called, supposed कथित
9. **Maoist** (adjective) – relating to or denoting the communist doctrines of Mao Zedong. माओवादी
10. **Conspiracy** (noun) – plot, intrigue, scheme, cabal, collusion साजिश, षड़यंत्र
11. **Conviction** (noun) – declaration of guilt, pronouncement of guilt, sentence दोषसिद्धि
12. **Sentence** (verb) – pronounce sentence on, mete out punishment to, punish, convict अपराधी को सजा सुनाना
13. **Provision** (noun) – term, clause, requirement, specification, stipulation प्रावधान
14. **Set aside** (phrasal verb) – to decide not to consider something; dismiss, cancel रद्द करना
15. **Merit** (noun) – good point, strong point
16. **Aggrieved** (adjective) – offended, upset, peeved, injured व्यथित
17. **The apex court** (noun) – Supreme court
18. **Restrained** (adjective) – Cool and formal in manner; calm, reserved, controlled शांत
19. **Entertain** (verb) – take into consideration, have in view विचार करना
20. **Zeal** (noun) – enthusiasm, eagerness, passion, ardor, fervor उत्साह, जोश
21. **Hearing** (noun) – trial, court case, inquiry, legal proceedings सुनवाई

22. **Consider** (verb) – think about, contemplate, examine, appraise, review
विचार करना
23. **The accused** (noun) – A person or group of people who are charged with or on trial for a crime. आरोपी
24. **Disabled** (adjective) – handicapped, crippled, incapacitated विकलांग
25. **Acquit** (verb) – exonerate, absolve, exculpate, deport, discharge बरी करना
26. **Proceedings** (noun) – course of action, action, step, measure, move कार्यवाही
27. **Swiftness** (noun) – speed, haste, rapidity, quickness तेज़ी
28. **Uncommon** (adjective) – unusual, rare, exceptional, extraordinary, असामान्य
29. **Gist** (noun) – the central meaning or theme of a speech or literary work सार, निष्कर्ष
30. **Verdict** (noun) – judgement, adjudication, adjudgement, decision निर्णय
31. **Sanction** (noun) – authorization, permission, approval, consent, endorsement मंजूरी
32. **Prosecution** (noun) – legal action, lawsuit, suit at law, case, court case अभियोग
33. **Material** (noun) – information, data, facts
34. **Sanctioning** (adjective) – authorizing, permitting, approving, passing, endorsing स्वीकृति देने वाले
35. **Assist** (verb) – help, support, assistance, helping, promote सहायता करना/ देना
36. **Take a cognisance of** (phrase) – to notice or give attention to (something) संज्ञान लेना
37. **Examine** (verb) – Inspect, Scrutinize, Observe, Study, Survey, Scan जांच करना
38. **Render** (verb) – Cause to become बनाना
39. **Void** (adjective) – invalid, nullified, cancelled, revoked, rescinded, abolished अमान्य
40. **Arguable** (adjective) – disputable, debatable, questionable, controversial, moot विवाद-योग्य
41. **Go by** (phrasal verb) – To base an opinion or analysis on a specific piece of information, के अनुसार
42. **Omission** (noun) – oversight, failure, neglect, dereliction, default चूक
43. **Vitiate** (verb) – Destroy or impair the legal validity of. बिगाड़ना, निष्फल करना

44. **Curable** (adjective) – remediable, reparable, treatable, recoverable, restorable साध्य
45. **Defect** (noun) – flaw, fault, blemish, imperfection, shortcoming दोष, त्रुटि
46. **Elaborately** (adverb) – intricately, richly, lavishly, ornately, sumptuously; With elaboration
47. बड़े विस्तार से
48. **Deal with** (phrasal verb) – handle, cope with, treat, manage, निपटना, सुलझाना
49. **Conclude** (verb) – Decide by reasoning; draw or come to a conclusion परिणाम निकालना
50. **Safeguard** (noun) – protection, defence, guard, shelter, screen रक्षा, बचाव
51. **Legislature** (noun) – The legislative body of a country or state. विधान मंडल
52. **Zealously** (adverb) – enthusiastically, ardently, fervently, passionately, eagerly जोश से, उत्साहपूर्वक
53. **Interdict** (verb) – prohibit, veto, proscribe, forbid, embargo रोकना
54. **Appellate** (adjective) – (especially of a court) concerned with or dealing with applications for decisions to be reversed. अपीलीय

Practice Exercise

Direction (Q1 – Q3): Select the best express synonym of the given words [Editorial page]

- the benefit of acquittal or discharge must not be interdicted by an appellate court without a full hearing
 - Serendipity
 - Munificent
 - Elicit
 - Embargo
- any error, omission or irregularity in the matter of sanction would not vitate the trial, unless there has been a failure of justice as a result, and that it is a curable defect.
 - Chasm
 - Conventional
 - Impair
 - Tacit
- Swift stay on orders of acquittal or discharge show courts in a bad light
 - Infamous
 - Exoneration
 - Reprove
 - Inept
- Idioms & Phrase**

She is at pains to point out how much work she has done.

 - To no longer be in danger or difficulty
 - To be in control
 - To try very hard to do something
 - If a situation descends into a particular state, it becomes worse
- Direction: Five statements are given below, which are jumbled in any random order. These statements will form a coherent and meaningful paragraph, when arranged in the correct sequence. Arrange the sentences in the right order and answer the questions that follow.**

The US Federal Reserve Chair, Jerome Powell's speech at the economic symposium in Jackson Hole has made it abundantly clear that the US central bank will continue aggressive monetary tightening for as long as it takes to bring inflation towards the long-term goal of 2 per cent.

P. The Fed Chairman is right in waiting for further data points before revising his stance on inflation, since the core PCE index — used by the Fed to measure inflation — continues to be at a three-decade high of 4.6 per cent.

Q. over growth and a sustained period of 'below-trend' growth is likely as this fight against inflation continues.

R. The statement also implies that the rupee is likely to stay under pressure in the near future.

S. With geopolitical tensions showing no sign of abating and tight labour market conditions in the US stoking demand, inflation can continue to be a bugbear this year.

T. The speech is likely to douse the excessive optimism seen in stock markets of a softer Fed, spurred by inflation moderating over the last few months in the US and other countries.

U. Of greater interest is Powell's statement that combating inflation takes precedence

Which among the following will be the **Second** sentence of the paragraph after the rearrangement?

- A. P B.S C.T D.Q E.R

Direction (Q6 – Q7): Read the given sentences to find out whether there is any grammatical error in them

6. There was a huge (A)/ crowded in front (B)/ of the actor's (C)/ house on his birthday. (D)/ No Error. (E)
7. Reena came early on (A)/ Lambda Monday because she had (B)/ to plan out the team's schedule (C)/ for the whole weeks. (D)/ No Error. (E)

Directions (8-9): In the following questions two columns are given containing three Sentences/phrases each. In first column, sentences/phrases are A, B and C and in the second column the sentences/phrases are D, E and F. A sentence/phrase from the first column may or may not connect with another sentence/phrase from the second column to make a grammatically and contextually correct sentence. Each question has five options, four of which display the sequence(s) in which the sentences/phrases can be joined to form a grammatically and contextually correct sentence. If none of the options given forms a correct sentence after combination, mark option (E), i.e. "None of these" as your answer.

8.

Column (1)	Column (2)
A. To curbing the spread of violence, authorities	D. but was also deeply touched by the support she got from the industry
B. Demands for diesel cars, which have been on the rise for the last few years	E. brought under curfew more areas in the state, where youths were killed
C. Not only was the actress over the moon on winning an award,	F. may dip as the government is increasing the price of the fuel, bringing it closer to that of petrol

- A. A-E B.B-F, C-D C.A-E, C-F D.B-D E. None of these

9.

Column (1)	Column (2)
A. The protestors went on rampaging and	D. set ablaze three shops resulting in injuries to thirty people including women and children
B. Hectic schedule can take a toll on	E. the solution to this is a quick holiday to

anybody and	some exotic location.
C. The professor tried his best to clear all	F. their doubts in the subject after his lecture

- A. A-E B.A-D, B-F C.A-E, C-D D.B-E E. None of these

10. Find out the misspelt word

- A. Radicalism
B. Bellwether
C. Mischevious
D. Fascinating

Direction: Read the passage given below and answer the following questions.

(The Hindu Editorial: Knowing the killer – Sep 20, 2022)

Sentencing after conviction is a knotty problem in cases relating to capital offences. **(1)**/ Subsequent judgments have sought to **buttress** this principle by holding that the gruesome nature of the offence may not be the sole criterion to decide what brings it under the 'rarest of rare' category. **(2)**/ Trial judges are called upon to make a decision on whether only a death sentence will meet the ends of justice, or a life term will be enough. **(3)**/ As a salutary norm, the Supreme Court has laid down that the death penalty can be imposed only in the "rarest of rare" cases. **(4)**/ The offender, his socio-economic background and his state of mind are also key factors in this regard. In practice, the sentencing part of the trial takes place after the court records a conviction. It is often done on the same day as the verdict, with only some limited arguments being heard on 'mitigating circumstances' from the convict's side and on the 'aggravating circumstances' from the prosecution. The latest order of a three-judge Bench, referring to a Constitution Bench the issue of granting a meaningful opportunity to convicts on the question of sentence, is a big stride in humanising the sentencing process.

Same-day sentencing has been upheld by several judgments, with the Supreme Court often saying where a meaningful opportunity has been given to the convict to present mitigating factors, the mere fact that death was awarded on the same day would not _____11_____ the sentence. Some High Courts have given a chance to convicts to present mitigating factors so that the inadequacy of the sentencing process in the trial court does not matter. Present thinking, however, is **elicit(A)** towards the view that courts must **veering(B)** reports from the jail authorities, probation officers and even trained psychologists to **assess(C)** the mitigating factors in favour of not **imposing(D)** the death penalty. In its referral order, the Bench has also raised the question as to the stage at which mitigating factors are to be presented. It has noted that the scales are _____12_____ against the convicts now, as it is only after conviction that they are able to speak about mitigating circumstances. The prosecution, on the other hand, presents its case from the beginning on how _____13_____ the crime was, and how much the accused deserved maximum punishment.

The Constitution Bench may come up with new guidelines **(A)**/ under which the trial courts themselves can hold **(B)**/ a comprehensive investigation into factors related **(C)**/ to the upbringing, education and socio-economic conditions of an offender before deciding the punishment. **(D)**

The legal and moral dilemma of sending someone to the _____¹⁴_____, of course, will subsist only as long as the death penalty remains on the statute book.

Fill in the blank with the most appropriate word given in the option (From Q11 – Q14)

11. The mere fact that death was awarded on the same day would not _____ the sentence.
 - A. Periphery
 - B. Libel
 - C. Vitiating
 - D. Culinary
12. It has noted that the scales are _____ against the convicts now, as it is only after conviction that they are able to speak about mitigating circumstances.
 - A. Frugal
 - B. Tilted
 - C. Insidious
 - D. Malaise
13. The prosecution, on the other hand, presents its case from the beginning on how _____ the crime was, and how much the accused deserved maximum punishment.
 - A. Paradox
 - B. Heyday
 - C. Pragmatic
 - D. Heinous
14. The legal and moral dilemma of sending someone to the _____, of course, will subsist only as long as the death penalty remains on the statute book.
 - A. Singular
 - B. Adroit
 - C. Gallows
 - D. Stoic
15. **The following sentence may or may not contain an error in one of its parts. Identify the part containing the error. If the sentence is correct, select 'No error' as your answers.**

The Constitution Bench may come up with new guidelines **(A)**/ under which the trial courts themselves can hold **(B)**/ a comprehensive investigation into factors related **(C)**/ to the upbringing, education and socio-economic conditions of an offender before deciding the punishment. **(D)**

 - A. (A)
 - B. (B)
 - C. (C)
 - D. (D)
 - E. No Error
16. **Rearrange the sentence to form a meaningful sentence.**

Sentencing after conviction is a knotty problem in cases relating to capital offences. **(1)**/ Subsequent judgments have sought to buttress this principle by holding that the gruesome nature of the offence may not be the sole criterion to decide what brings it under the 'rarest of

rare' category. **(2)**/Trial judges are called upon to make a decision on whether only a death sentence will meet the ends of justice, or a life term will be enough. **(3)**/As a salutary norm, the Supreme Court has laid down that the death penalty can be imposed only in the "rarest of rare" cases. **(4)**/

- A. 2341
- B. 1324
- C. 1342
- D. 2143
- E. 2134

17. Given below is a word, followed by three sentence that consist of that word. Identify the sentence (S) that best express (es) the meaning of the word. Choose option 5 'None of the above' if the word is not suitable in any of the sentence

BUTTRESS

- (i) The builders aren't making much **buttress** with our new house.
- (ii) The cathedral's massive **buttresses**
- (iii) The law is by its very nature a **buttress** of the status quo

- A. Only (i)
- B. Only (ii)
- C. Only (iii)
- D. (i), (ii)
- E. (ii), (iii)

18. In the following question, a sentence is given with four words marked as (A), (B), (C), and (D). These words may or may not be placed in the correct order. Four options with different arrangements of these have been provided. Mark the option with the correct arrangement as the answer. If no rearrangement is required, mark option (5) as your answer.

Present thinking, however, is **elicit(A)** towards the view that courts must **veering(B)** reports from the jail authorities, probation officers and even trained psychologists to **assess(C)** the mitigating factors in favour of not **imposing(D)** the death penalty.

- A. C – A
- B. A – D
- C. A – B
- D. D – C
- E. No arrangement

19. Select the connector from the given options which can be used to form a single sentence from the two sentences given below, implying the same as expressed in the statement sentence.

- (i) We're going to experience some meteor showers in the next few days.
 - (ii) The number of miraculous self-healings will rise.
- A. But
 - B. Therefore
 - C. Due to

D. Unless

E. Firstly

20. Fill the appropriate preposition in the given blanks

He commenced _____ grammar when he started teaching English.

A. Of

B. In

C. With

D. To

Answers

1. 2. 3. 4. C 5. E 6. B 7. D 8. B 9. D 10. C 11. C
12. B 13. D 14. C 15. B 16. C 17. E 18. C 19. B 20. C

[Practice Exercise]

Explanations

4. **Be at pains** (phrase) – make every effort, spare no effort, Try very hard to do something कोई कसर नहीं छोड़ना
5. **TRPSUQ**
The US Federal Reserve Chair, Jerome Powell's speech at the economic symposium in Jackson Hole has made it abundantly clear that the US central bank will continue aggressive monetary tightening for as long as it takes to bring inflation towards the long-term goal of 2 per cent. The speech is likely to douse the excessive optimism seen in stock markets of a softer Fed, spurred by inflation moderating over the last few months in the US and other countries. The statement also implies that the rupee is likely to stay under pressure in the near future. The Fed Chairman is right in waiting for further data points before revising his stance on inflation, since the core PCE index — used by the Fed to measure inflation — continues to be at a three-decade high of 4.6 per cent. With geopolitical tensions showing no sign of abating and tight labour market conditions in the US stoking demand, inflation can continue to be a bugbear this year. Of greater interest is Powell's statement that combating inflation takes precedence over growth and a sustained period of 'below-trend' growth is likely as this fight against inflation continues.
6. (B) 'crowded' के बदले 'crowd' का प्रयोग होगा क्योंकि 'crowded' एक Adjective है जबकि 'crowd' एक Noun, और इसके लिए Part (A) में Article 'a' तथा Adjective 'huge' का प्रयोग है; अर्थात् सही प्रयोग 'A huge crowd' होगा।
➤ 'crowded' will be used instead of 'crowd' because 'crowded' is an Adjective while 'crowd' is a Noun, and for this Article 'a' and Adjective 'huge' are used in Part (A) ; That is, the correct usage would be 'A huge crowd'.
7. (D) 'weeks' के बदले 'week' का प्रयोग होगा क्योंकि 'for the whole week' (पूरे सप्ताह के लिए) से तात्पर्य केवल एक सप्ताह का है।
➤ 'week' will be used instead of 'weeks' because 'for the whole week' means only one week.
8. **Correct Option: B**
To curbing the spread of violence, authorities brought under curfew more areas in the state, where youths were killed.
Fragment A of column 1 is not matched with fragment E of column 2 to make the sentence contextually and grammatically correct.
Correct is: To curb the spread of violence, authorities brought under curfew more areas in the state, where youths were killed.

- 'To curbing' के बदले 'To curb' का प्रयोग होगा क्योंकि 'To' का प्रयोग जब Infinitive Particle के रूप में होता है। तो इसके साथ V1 का प्रयोग होता है।

Demands for diesel cars, which have been on the rise for the last few years may dip as the government is increasing the price of the fuel, bringing it closer to that of petrol.

Fragment B of column 1 is matched with fragment F of column 2 to make the sentence contextually and grammatically correct

Not only was the actress over the moon on winning an award, but was also deeply touched by the support she got from the industry.

Fragment C of column 1 is matched with fragment D of column 2 to make the sentence contextually and grammatically correct

9. **Correct Option: D**

The protestors went on rampaging and set ablaze three shops resulting in injuries to thirty people including women and children.

Fragment A of column 1 is matched with fragment D of column 2 to make the sentence contextually and grammatically correct

Hectic schedules can take a toll on anybody and the solution to this is a quick holiday to some exotic location.

Fragment B of column 1 is matched with fragment E of column 2 to make the sentence contextually and grammatically correct

The professor tried his best to clear all their doubts in the subject after his lecture.

Fragment C of column 1 is matched with fragment F of column 2 to make the sentence contextually and grammatically correct

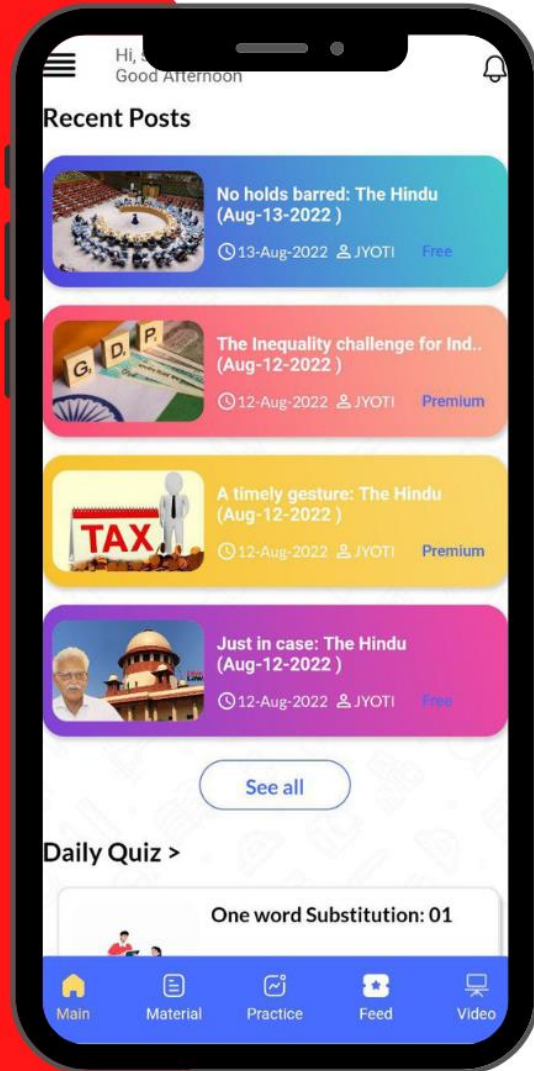
10. **Mischievous** (adjective) – naughty, impish, wicked, playful, puckish शरारतपूर्ण
11. **Vitiate** (verb) – to make something less effective; to spoil something विकृत करना; निरस्त करना
12. **Tilt the scales/balance** (phrase) – To change the balance of a situation, such that one side or element is favored or gains advantage.
13. **Heinous** (adjective) – Atrocious, odious, terrible, dreadful, shocking, scandalous जघन्य
14. **Gallows** (noun) – a wooden frame used in the past for killing people by hanging फाँसी का तख्ता
15. 'Held' के बदले 'hold' का प्रयोग होगा क्योंकि 'Modal' take first form verb (i.e. V¹) after it.
16. (C) **1342**

Sentencing after conviction is a knotty problem in cases relating to capital offences. Trial judges are called upon to make a decision on whether only a death sentence will meet the ends of justice, or a life term will be enough. As a salutary norm, the Supreme Court has laid down that the death penalty can be imposed only in the "rarest of rare" cases. Subsequent judgments have sought to buttress this principle by holding that the gruesome nature of the offence may not be the sole criterion to decide what brings it under the 'rarest of rare' category.

17. **Buttress** (noun) – support, reinforce, brace, strengthen, prop, reinforce समर्थन देना
According to the given options only (ii) and third is contextually correct.
Because the (i) sentence is not giving any meaning and correct sentence should be like
The builders aren't making much headway with our new house.
18. Present thinking, however, is veering towards the view that courts must elicit reports from the jail authorities, probation officers and even trained psychologists to assess the mitigating factors in favour of not imposing the death penalty.
19. We're going to experience some meteor showers in the next few days. **Therefore**, the number of miraculous self-healings will rise.

Explanation of other important words

Sr.NO	Words		Meanings	
Q1	Serendipity	noun	Accidental good fortune; discovering good thing without looking for them	नसीब
	Munificent	adjective	Very generous; lavish	उदार
	Elicit	verb	To Bring out; to call forth	प्रकाश में लाना
Q2	Chasm	noun	A deep, gaping hole; a gorge	खाई, दरार
	Conventional	adjective	Common; customary; unexceptional	पारंपरिक
	Tacit	adjective	Implied; not spoken	मौन
Q3	Infamous	adjective	Shamefully wicked, having an extremely bad reputation; disgraceful	बदनाम
	Reprove	verb	To criticize mildly	निंदा करना
	Inept	adjective	Clumsy; incompetent; gauche.	अयोग्य
Q11	Periphery	noun	The outside edge of something	उपनगर
	Libel	noun	A written or published falsehood that injures the reputation of, or defames, someone	निंदलेख
	Culinary	adjective	Relating to cooking or the kitchen	पाक शाला संबंधी, रसोई का
Q12	Frugal	adjective	Economical; penny – pinching	किफायती
	Insidious	adjective	Treacherous; sneaky	कपटी
	Malaise	noun	Feeling uneasy or queasy	असहजता
Q13	Paradox	noun	A True statement or phenomenon that nonetheless seems to contradict itself; an untrue statement or phenomenon that nonetheless seem logical	विरोधाभास
	Heyday	noun	Golden age; prime	आनंद का समय
	Pragmatic	adjective	Practical; down to earth; based on experience rather than theory	व्यावहारिक
Q14	Singular	adjective	Unique; superior; exceptional; strange	विलक्षण
	Adroit	adjective	Skillful; dexterous; clever; shrewd; socially at ease	निपुण, चतुर
	Stoic	adjective	Indifferent to pleasure or pain, to joy or grief, to fortune or misfortune	उदासीन



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