



SAGA LEGAL

COMMUNIQUE

AUGUST 2025

Delhi | Bengaluru | Mumbai | Hyderabad

TABLE OF CONTENTS

Courts this Month:

(i) Supreme Court..... **1**

(ii) High Courts..... **3**

Notifications/Amendments Insight..... **5**

Deals of the Month..... **7**

SUPREME COURT THIS MONTH

- The Hon'ble Supreme Court in the case *Deepak Kumar Sahu vs. State of Chhattisgarh* (2025 INSC 929), determined that when a rape victim's story is deemed creditworthy, such acceptable testimony would prevail over any apparent insufficiency of medical evidence. The Court was considering an appeal filed against the order passed by the Chhattisgarh High Court convicting and sentencing the accused appellant under Sections 376 (2) (punishment for rape), 450 (house-trespass to commit an offence) of the Indian Penal Code, 1860 ("**IPC**") and Section 4 (punishment for penetrative sexual assault on a minor) of the Protection of Children from Sexual Offences Act, 2012. The Bench comprising Justice Sudhanshu Dhulia and Justice N.V. Anjaria observed, *"in cases of offences committed under Section 376, IPC, when the story of the victim girl as told in the evidence is found credit-worthy, the apparent insufficiency of medical evidence pitted against acceptable testimony of the victim, the latter would prevail."*
- The Hon'ble Supreme Court in the case *Khem Singh (D) Through LRs vs. State of Uttaranchal (Now State of Uttarakhand) & Another* (2025 INSC 1024) decided that the expression "right to prefer an appeal" under Section 372 (no right to appeal unless otherwise provided) of the Code of Criminal Procedure, 1973 ("**CrPC**") also includes the "right to prosecute an appeal". The Court also held that the expression "prefer an appeal" in proviso to Section 372 CrPC must be given an expanded meaning as to include prosecution of an appeal or effectively pursue an appeal. The Bench comprising Justice B.V. Nagarathna and Justice K.V. Viswanathan observed, *"the expression 'right to prefer an appeal' in the proviso to Section 372 CrPC cannot be limited to mean 'only the filing of an appeal'. Mere filing of an appeal in the absence of prosecution of an appeal is of no avail. It does not fulfil the object with which the proviso has been added to Section 372 CrPC. Therefore, we interpret the expression 'the right to prefer an appeal' to also include the 'right to prosecute an appeal' ... Any curtailing of the legal right to prosecute an appeal on the death of an original appellant by his legal heir would make the proviso to Section 372 CrPC wholly redundant and in fact may result in a situation which is contrary to the entire object with which the Parliament had inserted the proviso to Section 372 CrPC."*
- The Hon'ble Supreme Court in the case *Palm Groves Cooperative Housing Society Ltd. vs. M/s Magar Girme and Gaikwad Associates* (2025 INSC 1023) stated that any "interim order" under section 25(1) (enforcement of orders) of the Consumer Protection Act, 1986 ("**1986 Act**") shall be read as "any order". The Court also held that neither an appeal nor a revision against an order passed by the State Commission in an appeal filed against the Order of the District Forum in execution proceedings shall be maintainable before the National Commission. The Bench comprising Justice J.K. Maheshwari and Justice Rajesh Bindal observed, *"Section 25(1) of the 1986 Act shall be read as enumerated below for the period from 15.03.2003 to 20.07.2020 with reference to all pending proceedings at any stage for execution of any order passed under the 1986 Act."*
- The Hon'ble Supreme Court in the case *Ashdan Properties Pvt. Ltd. vs. DSK Global Education and Research Pvt. Ltd.* (2025 INSC 959) ruled that Proviso to section 61(2) of the Insolvency and Bankruptcy Code, 2016 ("**IBC**") allows National Company Law Appellate Tribunal ("**NCLAT**") to permit appeal filings even after the expiry of the 30 days' period, but such period should not exceed 15 days. The Court was considering an appeal filed under Section 62 of the IBC against the order passed by the NCLAT. The Bench of Justice Sanjay Kumar and Justice Satish Chandra Sharma observed, *"Section 61(2) of the IBC prescribes that every appeal against an order of the Adjudicating Authority, i.e., the National Company Law*



SAGA LEGAL

Tribunal concerned, should be filed before the jurisdictional National Company Law Appellate Tribunal within 30 days. The proviso thereto, however, allows the said National Company Law Appellate Tribunal to permit the appeal to be filed even after expiry of the period of 30 days, if it is satisfied that there was sufficient cause for not filing the appeal within that time but such extended period shall not exceed 15 days."

- The Hon'ble Supreme Court in the case *Glencore International AG vs. M/s Shree Ganesh Metals and Another* (Neutral Citation: 2025 INSC 1036) maintained that written arbitration agreements covered under Sections 44 and 45 of the Arbitration and Conciliation Act, 1996 need not be signed to be effectuated. The Court held that an arbitration agreement need not be signed to be enforceable if the parties' conduct and documented exchanges demonstrate a consensus on the contract terms, including the arbitration clause. The Bench comprising Justice Sanjay Kumar and Justice Satish Chandra Sharma observed "*Section 7(4) only added that an arbitration agreement could be found in the circumstances mentioned in the three sub-clauses that make up Section 7(4) but that did not mean that, in all cases, an arbitration agreement needs to be signed*" and that "*This legal principle would hold good equally for an arbitration agreement covered by Sections 44 and 45 of the Act of 1996.*"
- The Hon'ble Supreme Court in the case *Time City Infrastructure and Housing Limited Lucknow vs. the State of U.P. & Ors.* (2025 INSC 966) held that if the court is satisfied of applicant's non-compliance with the proviso to Order 39 Rule 3 of the Code of Civil Procedure, 1908 ("CPC"), an ex-parte ad interim injunction can be vacated. The Bench comprising Justice J.B. Pardiwala and Justice R. Mahadevan observed, "*we are of the opinion that if the court is satisfied of noncompliance by the applicant with the*

provisions contained in the proviso then on being so satisfied the court which was persuaded to grant an ex parte ad interim injunction confiding in the applicant that having been shown indulgence by the court he would comply with the requirements of the proviso, it would simply vacate the ex parte order of injunction without expressing any opinion of the merits of the case leaving it open to the parties to have a hearing on the grant or otherwise on the order of injunction but bipartite only. The applicant would be told that by his conduct he has deprived the opponent of an opportunity of having an early or urgent hearing on merits and, therefore, the ex parte order of injunction cannot be allowed to operate anymore."



SAGA LEGAL

HIGH COURTS THIS MONTH

- The High Court of Delhi in the case *Prince Tyagi and Anr. vs. the State of NCT of Delhi (W.P.(Crl.) 2419 of 2025)* maintained that the disapproval of family members cannot override the fundamental right of two consenting adults to choose each other as life partners, as safeguarded under Article 21 of the Constitution of India. The Single Judge Bench comprising Justice Sanjeev Narula observed *"the right of two consenting adults to choose each other as life partners and to live together in peace is a facet of their personal liberty, privacy, and dignity protected under Article 21. Family disapproval cannot curtail that autonomy."*
- The High Court of Manipur in the case *Dr. Beoncy Laishram vs. the State of Manipur & Ors. (FAO(OS) 82 of 2025)* ruled that transgender persons have the right to apply for revised certificate incorporating new self-adopted gender post-op under the Transgender Persons (Protection of Rights) Act, 2019 ("**Act**"). The Court further directed educational institutes to issue fresh certificates to transgender person under new name and gender while considering the issue of whether a transgender person was entitled to update and correct his or her original name recorded in the educational qualification certificates and other official documents by the new name and gender. The Single-Judge Bench comprising Justice A. Guneshwar Sharma observed, *"From a conjoint reading of the provisions of Sections 4, 5, 6 & 7 of the Act, transgender person has a right to choose a self-perceived gender identity apart from the binary division of male and female. These provisions are in consonance with the judgment passed by Hon'ble Supreme Court in the NALSA Case (supra) where a transgender person is recognized as third gender and also transgender person has right to self-perceived gender identity. Upon an application to the D.M. under Section 5 of the Act, D.M. has to issue a transgender certificate with the gender as transgender and such certificate shall be recorded in all official documents. If a transgender person has undergone gender reassignment surgery and on the basis of the certificate issued by the concerned hospital where the surgery has been performed, a transgender person has a right to apply for a revised certificate incorporating the new gender self-adopted post-surgery."*
- The High Court of Karnataka in the case *Archana Patil vs. the State of Karnataka and Anr. (Crl. Petition No. 12777 of 2024)* clarified that penetrative sexual assault offences are "gender neutral" under the Protection of Children from Sexual Offences Act, 2012 ("**Act**"), and can attract against women also. The Court held that the Act being a progressive enactment, is intended to safeguard the sanctity of childhood and it is rooted in gender neutrality with its beneficent object being the protection of all children, irrespective of sex. The Single-Judge Bench comprising Justice M. Nagaprasanna observed, *"Sections 3 and 5 which form the foundation for offences under Sections 4 and 6 of the Act, delineate various forms of assault. Although certain provisions may employ gendered pronouns, the preamble and purpose of the Act, render such usage inclusive. Therefore, it is inclusive of both male and female. ... The ingredients of Section 4 of the Act dealing with penetrative sexual assault are equally applicable to both men and women. The language of the provision clearly indicates inclusivity."*
- The High Court of Bombay in the case *Babu Abdul Ruf Sardar vs. the State of Maharashtra (Bail Application No. 1510 of 2025)* held that merely having an Aadhaar, PAN, or Voter ID does not verify someone's Indian citizenship. The Court was considering a regular bail application filed by the applicant facing prosecution for offences punishable under the provisions of the Bharatiya Nyaya



SAGA LEGAL

Sanhita 2023, the Passport (Entry into India) Act 1920, and the Foreigners Order, 1948. The Single-Judge Bench comprising Justice Amit Borkar observed, *"The applicant has failed to produce any document duly verified or authenticated by the concerned government authorities that could conclusively establish his Indian citizenship. Merely relying on the existence of certain identity documents such as Aadhaar, PAN, or Voter ID, without verification of the process through which these were obtained, cannot be treated as sufficient proof of lawful citizenship at this stage, particularly when the very authenticity of such documents is under investigation."*

- The High Court of Jammu & Kashmir and Ladakh in the case *Tilak Raj vs. Darshana Devi (CRM(M) No. 864 of 2023)* maintained that limitation under the Code of Criminal Procedure, 1972 ("**CrPC**") does not apply to applications under the protection of women from Domestic Violence Act, 2005 ("**DV Act**") except penal proceedings. The Court also held that the period of limitation prescribed under the CrPC applies only to penal proceedings under Section 31 of the DV Act and not to applications filed under Sections 12 or 23 of the Act. The Single-Judge Bench comprising Justice M.A. Chowdhary observed *"... the bar of the period of limitation will be applicable only to the penal proceedings under Section 31 of the Act seeking punishment for the breach of the protection order or an interim protection order... However, there cannot be any bar to maintaining an application under other provisions, including Sections 12 and 23 of the DV Act."*
- The High Court of Punjab and Haryana in the case *Manish Kumar vs. Directorate General, Goods & Service Tax Intelligence, Zonal Unit, Ludhiana (2025: PHHC: 097148)* ruled that bail cannot be denied to an accused in a complaint under Section 132 of Central Goods and Services Tax Act, 2017 ("**CGT Act**") solely on the basis of

pendency of investigation against co-accused. The present petition was filed for the grant of regular bail in a case registered under Section 132(1)(b) of the CGT Act. The Single-Judge Bench comprising Justice Harpreet Singh Brar observed, *"in view of the discussion above, this Court has no hesitation in holding that an accused in a complaint under Section 132 of the CGT Act cannot be denied the concession of bail, solely on the ground that investigation remains pending qua a co-accused. Furthermore, learned counsel for the respondent could not controvert the fact that the petitioners have clean antecedents and have fully cooperated in the investigation. Moreover, most of the evidence is in documentary and electronic form, which is already in possession of the investigating agency."*

- The High Court of Karnataka in the case *Smt. Seeta Nayak & Ors. vs. Smt. Laxmi Kom Nagesh Naik (W.P. No. 102555 of 2025)* held that only a person who filed the pleading can seek for its amendment, and not someone who adopted it. The Court was ruling on an application under Rule 17 of Order VI of the Code of Civil Procedure ("**CPC**"), which came to be filed seeking to amend the written statement filed by the defendant on the ground that another defendant had also adopted the written statement of the defendant, who had filed the written statement. The Single Bench of Justice Suraj Govindaraj observed *"it is only for the person who has filed any particular pleading who can seek for amendment of that pleading. If there is a joint plaint or written statement filed, an application to amend the joint plaint or written statement would have to be filed by all the plaintiffs or all the defendants, who have filed the said pleadings jointly. An individual plaintiff or an individual defendant cannot seek to amend the plaint or written statement filed jointly."*

NOTIFICATIONS / AMENDMENTS INSIGHTS

- The Reserve Bank of India has issued the Co-Lending Arrangements (“**CLA**”) Directions, 2025, effective January 1, 2026, through Notification No. RBI/DOR/2025-26/139 DOR.STR.REC.44/13.07.010/2025-26 to provide comprehensive rules for co-lending between banks, NBFCs, and financial institutions. The guidelines mandate each lender to retain at least 10% (ten percent) of every loan on its books, adopt credit policies covering limits, due diligence, and grievance redressal, and disclose clear borrower interfaces. Loans must carry a blended interest rate reflecting the weighted funding shares of partner lenders. The framework also prescribes escrow-based fund flows, borrower-level asset classification, default loss guarantees up to 5% (five percent), and detailed disclosure norms in financial statements. Existing CLAs remain governed by current rules until the effective date, after which the said directions will apply in full.
- The Reserve Bank of India has consolidated and harmonized its regulatory framework on guarantees, letters of credit, co-acceptances, and Partial Credit Enhancement (PCE) through the Non-Fund Based Credit Facilities Directions, 2025, effective April 1, 2026 released through Notification No. RBI/DOR/202526/140DOR.STR.REC.45/ 13.07.010/2025-26. These rules apply to banks, cooperative banks, AIFIs, and NBFCs (for PCE), and mandate strict credit policies, issuance only to eligible obligors, and unconditional, irrevocable guarantees. They impose caps on unsecured exposures, regulate co-acceptances, and set out detailed conditions for guarantees in trade and overseas transactions. For PCE, REs can back up to 50% (fifty percent) of a bond issue, with capital requirements linked to pre-enhanced ratings, exposure limits capped at 20% (twenty percent) of Tier 1 capital, and usage restricted to refinancing debt of NBFCs/HFCs. Electronic guarantees are permitted subject to strict operational risk controls. The Directions repeal a wide body of earlier circulars to streamline compliance.
- Through the 2nd Amendment to its Reserve Bank of India (“**RBI**”) (Know Your Customer (KYC)) Directions, 2016, effective August 14, 2025 through Notification No. RBI/DOR/2025-26/139DOR.STR.REC.44/13.07.010/2025-26, the RBI has introduced changes to strengthen customer inclusion and clarity. Key updates include mandating that KYC rejections cannot be done without proper reasoning, with explicit inclusion of Persons with Disabilities as disadvantaged groups. KYC checks are now required not only at account opening but also for occasional transactions of INR 50,000 or more or for international money transfers. The amendment also recognizes aadhaar face authentication as a valid process, and mandates that liveness checks must not exclude persons with special needs.
- The Securities and Exchange Board of India has released a circular dated August 8, 2025 bearing reference no. SEBI/HO/DDHS/DDHS-PoD-2/P/CIR/2025/114 which revises the conversion framework for private listed Infrastructure Investment Trusts, aiming to promote efficiency, clarity, and liquidity. It proposes scrapping the 15% (fifteen percent) sponsor minimum contribution and lock-in requirements, abolishing the one-year lock-in for non-sponsor investors, and aligning disclosure obligations with follow-on public offer norms rather than IPO standards.
- The Companies (Indian Accounting Standards) Second Amendment Rules, 2025, notified by the Ministry of Corporate Affairs vide circular no. G.S.R. 549(E) dated August 13, 2025, introduce comprehensive updates to



SAGA LEGAL




standards, effective largely from April 1, 2025 (with certain provisions applying from April 1, 2026). Key changes include mandatory disclosure of supplier finance arrangements under Ind AS 7 and Ind AS 107 to improve transparency on working capital and hidden financing; clarifications in liability classification (current vs non-current) under Ind AS 1 especially in contexts involving loan covenants and rights to defer settlement; streamlined lease transition guidance (Ind AS 101/116) for first-time adopters; alignment of revenue and lease standards (Ind AS 115/116); and the introduction of OECD Pillar Two global minimum tax disclosures under Ind AS 12.

DEALS THIS MONTH


- D2C baby-products brand R for Rabbit has secured USD 27 million, led by Filter Capital and 3one4 Capital, in a round combining primary capital and a secondary share sale marking the exit of early backer Xponentia Capital. With a customer base exceeding 5 million parents and over 2,000 offline partners, the company clocked approximately 31% year-on-year growth in operating revenue, reaching INR 170 crore in FY25. It also achieved an annual recurring revenue of over USD 30 million.
- Hyderabad-based HR-tech SaaS firm Darwinbox has raised USD 40 million from Teachers' Venture Growth, the growth-arm of Canada's Ontario Teachers' Pension Plan. Earlier in March 2025, it had raised USD 140 million in a Series D round from Partners Group, KKR, and others, bringing total funding to USD 280 million to date; it also rolled out a USD 10 million employee stock option buyback plan. Serving over 1,000 enterprises across 130 countries and partnered with Microsoft, Darwinbox has recently launched an AI-powered HR suite while developing AI agents to support HR tasks like talent acquisition and digital transformation.
- Arintra, a GenAI-native medical coding platform founded in 2020, has secured USD 21 million in a Series A financing round led by Peak XV Partners, with participation from Endeavor Health Ventures, Y Combinator, Counterpart Ventures, Spider Capital, Ten13, and others. The funds will be used to drive adoption across U.S. health systems and physician groups, scale up product development and hiring, and establish a Bay Area headquarters. Arintra's autonomous coding platform integrates clinical documentation improvement and denials prevention with EHR systems like Epic and Athena, helping providers boost claim accuracy, reduce costs, and accelerate revenue reimbursement.
- Quick-commerce startup Zepto, led by Aadit Palicha, has raised INR 400 crore (USD 46 million) from Motilal Oswal Financial Services via issuance of 7.55 crore compulsorily convertible preference shares. Motilal Oswal, already an investor, had previously led Zepto's USD 350 million round in November 2024. Zepto's FY25 turnover reached INR 11,110 crore (USD 1.3 billion), and the raise is intended to extend its runway ahead of a planned IPO in 2026, with the goal of achieving EBITDA break-even within 12–15 months. The firm is also growing its footprint in quick medicine delivery via "Zepto Pharmacy" in major metro areas.
- Founded in April 2025 by Anjali Sardana, Pronto, a Gurugram-based home-services platform offering cleaning, laundry, utensil washing, and basic meal prep has raised USD 11 million (approx. INR 96 crore) in a funding round co-led by General Catalyst and Glade Brook Capital, with participation from Bain Capital Ventures. The fresh capital comes after a prior USD 2 million raise from Bain and values Pronto at about USD 45 million (INR 394 crore). Funds will be used to onboard and train 10,000 professionals, invest in quality-assurance systems, and build real-time operations tech. Pronto operates with a shift-based model enabling 10-minute fulfilment, bills per task (INR 200–300), and plans expansion to Mumbai, Bengaluru, and other metros, supported by micro-hub infrastructure.



SAGA LEGAL

-  **New Delhi:** 248, Third Floor, Okhla Industrial Area Phase 3 Delhi-110020
-  **Bengaluru:** 2216, First Floor, UKS Steel Plaza, 80 Feet Road, HAL 3rd Stage, Indiranagar, Opp ISRO Bengaluru- 560 075
-  **Mumbai:** 3/A-3, 3rd Floor, Court Chambers 35, New Marine Lines, Mumbai-400020

 contact@sagalegal.in

 +91 11 4106 6969 | +91 11 4107 6969 | +91 80 4229 6819 | +91 22 3155 0631

 www.sagalegal.in

DISCLAIMER

This publication is intended to be circulated for informational purposes only. The publication in no way constitutes legal advice/opinion being provided by Saga Legal to its readers or the public at large. Saga Legal encourages the readers to seek professional legal advice before acting upon the contents provided herein. The firm shall not be responsible for any liability or loss that may be attributed to the contents of this publication. This publication is property of Saga Legal, and the same may not be circulated, distributed, reproduced or otherwise used by anyone without the prior express permission of its creators.