

Arup Bhuyan v. State of Assam, (2011) 3 SCC 377

Constitution of India

Arts. 19(1)(c) & (a) and 21 - Right to form associations and freedom of expression - Scope of - Membership of banned/terrorist organisation - Inference therefrom - Held, mere membership of a banned organisation will not make a person criminal unless he resorts or incites people to violence or creates public disorder by violence or incitement to violence, (2011) 3 SCC 377-A

Criminal Law

Terrorist and Disruptive Activities (Prevention) Act, 1987

S. 15 - Confession made to police - Conviction on sole basis of, in absence of corroboration - Sustainability - Held, sustainable - However, further held, confession is a weak kind of evidence and considering widespread and rampant practice of police to use third-degree methods for extracting confessions from accused, courts should be cautious while accepting them, (2011) 3 SCC 377-B