

TITLE: Navtej Singh Johar v. Union of India (2018)

SITE

Education desk note ? Advocate Adesh Kumar ? <https://advadeshkumar.com/>

CITATION

(2018) 10 SCC 1 | Supreme Court of India | 2018

CASE

Navtej Singh Johar v. Union of India

FACTS

Constitutional challenges by members of the LGBTQ+ community and others to the criminalisation of consensual adult intimacy.

LEGAL ISSUES

Does Section 377 IPC survive insofar as it criminalises consensual adult same-sex relations?

LAW / PROVISIONS

Articles 14, 15, 19, 21; Section 377 IPC.

HOLDING

Section 377 was read down ? consensual sexual conduct between adults of the same sex in private is not criminal. Equality, dignity, and privacy grounds carried the judgment.

KEY TAKEAWAYS

1. Consensual adult intimacy is protected from this colonial criminalisation.
2. Dignity and privacy reshape criminal law review.

SIGNIFICANCE

Landmark LGBTQ+ rights judgment; decriminalisation milestone.

PRIMARY SOURCE

<https://indiankanoon.org/doc/168671544/>

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