



Constitutional Bench Update

Joseph Shine v. Union of India

Adultery In Armed Forces



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Bench

**Justices K.M. Joseph,
Ajay Rastogi, Aniruddha Bose,
Hrishikesh Roy, C.T. Ravikumar**

**Case Admitted on
September 29, 2022**

**Last Date of Hearing
September 29, 2022**

**Next Date of Hearing
December 6, 2022**

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Background



September 27, 2018: Supreme Court in the case of *Joseph Shine v. Union of India*, MANU/SC/1074/2018 struck down Section 497 of Indian Penal Code, which criminalizes adultery and held it unconstitutional.

September 29, 2022: Supreme Court 5 Judge Bench considered an application filed by the Union Government seeking a clarification that army personnel can be proceeded with under the Army Act for adulterous acts, despite the Joseph Shine case verdict.



Issues under Consideration



- Would the judgment in *Joseph Shine v. Union of India* prohibit any action against members of armed forces who commit adultery?



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