

Article 142 - Quashing of FIRs

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Why in News?

The Supreme Court invoked Article 142 to quash FIRs/criminal proceedings against Gen Z protesters involved in protests linked to the NEET-UG 2026 question paper leak.

Constitutional Provision

- **Article 142 Clause (1)** - Authority to Ensure Complete Justice and Nationwide Enforcement
 - **Power** - In any pending cause or matter, the Supreme Court may issue any decree or order deemed necessary to achieve complete justice.
 - **Enforcement** - Any such decree or order is enforceable across the entire territory of India.
 - **Mode of enforcement** - The method of enforcement is determined by Parliament; until such legislation is enacted, it is prescribed by the President.
- **Article 142 Clause (2)** - Procedural and Contempt Powers Applicable Nationwide.
- Subject to any law enacted by Parliament on the matter, the Supreme Court possesses, for the entirety of India, the authority to issue orders for the following purposes:
 - Securing the attendance of any individual;
 - Facilitating the discovery or production of documents;
 - Conducting investigations into, or imposing punishment for, contempt of the Supreme Court.

Evolution of Supreme Court's Interpretation of **Article 142**

Year	Case	Principle
1963	<i>Prem Chand Garg v. Excise Commissioner, U.P.</i>	Article 142 is wide but cannot violate the Constitution or Fundamental Rights.
1967	<i>I.C. Golaknath v. State of Punjab</i>	Described Article 142 as a wide and elastic power capable of developing legal doctrines to meet the ends of justice.
1991	<i>Union Carbide Corporation v. Union of India</i>	Ordinary statutory limitations do not automatically restrict the constitutional power under Article 142.
1991	<i>Delhi Judicial Service Association v. State of Gujarat</i>	Article 142, read with Articles 32 & 136, can be used to quash criminal proceedings in appropriate cases.
1998	<i>Supreme Court Bar Association v. Union of India</i>	Article 142 is plenary, supplementary and residual , but cannot supplant substantive law.
2023	<i>Shilpa Saaless v. Varun Sreenivasan</i>	Supreme Court can depart from procedural/substantive law in appropriate circumstances to achieve complete justice, subject to public-policy considerations.
2024	<i>High Court Bar Association, Allahabad v. State of U.P.</i>	Article 142 must ordinarily operate between parties before the Court and cannot prejudice substantive rights of persons who are not before it.

• **Limitations -**

- **Constitutional Limitation** - Orders issued under Article 142 cannot supersede the Constitution or infringe upon fundamental rights.
- **Supplementary Function** - It may address legal lacunae but cannot substitute or amend statutory provisions.
- **Principles of Natural Justice** - Directions must uphold the rights of non-parties and adhere to fair-hearing standards.
- **Public Policy Alignment** - It must be consistent with fundamental public policy considerations.
- **Exceptional Application** - It should be invoked only in extraordinary circumstances and not as a matter of routine.

Reference

[Indian Express| SC Scraps All FIRs Against NEET Protesters](#)