

Supreme Court Reaffirms Fundamental Right to Peaceful Protest

Supreme Court agreed to hear petitions regarding alleged police excesses during student protests, emphasizing that peaceful protest is a constitutional right.

It refers to the constitutional protection of freedom of assembly and speech, allowing citizens to express dissent peacefully under Article 19.

KEY EXAM POINTS

- CJI **Surya Kant** stated that the Constitution guarantees the **right to peaceful protest** to all citizens.
- The **Supreme Court** scheduled the hearing on alleged police excesses against student protesters for **July 28, 2026**.
- The Bench observed that **police force** is not justified merely because a protest is underway.
- The petitions stemmed from a crackdown on student protesters that occurred on **July 20, 2026**.

STATICS & SYLLABUS FOCUS

Article 19(1)(b) of the Constitution guarantees all citizens the fundamental right to assemble peaceably and without arms.

Article 19(3) allows **reasonable restrictions** on freedom of assembly in the interests of sovereignty, integrity of India, or public order.

Article 19(1)(a) protects freedom of speech and expression, which includes peaceful demonstrations and dissenting opinions.

In **Himat Lal K. Shah** v. Commissioner of Police (**1972**), SC held that the right to hold public meetings is guaranteed under Article 19.

In **Anita Thakur** v. State of J&K (**2016**), SC affirmed that peaceful demonstration is a basic democratic right.

Article 32 gives citizens the right to move the Supreme Court directly for enforcement of Fundamental Rights.

REVISION FLASHCARD

Right to assemble peaceably without arms is a Fundamental Right guaranteed under Article 19(1)(b) of the Constitution.

Syllabus Relevance: Crucial for Group 1 & 2 Polity topics on Fundamental Rights (Article 19) and Supreme Court Precedents.

Daily Current Affairs

Read the most important daily exam-relevant news summaries easily on Essaar.

Read Online: essaaracademy.in/ca