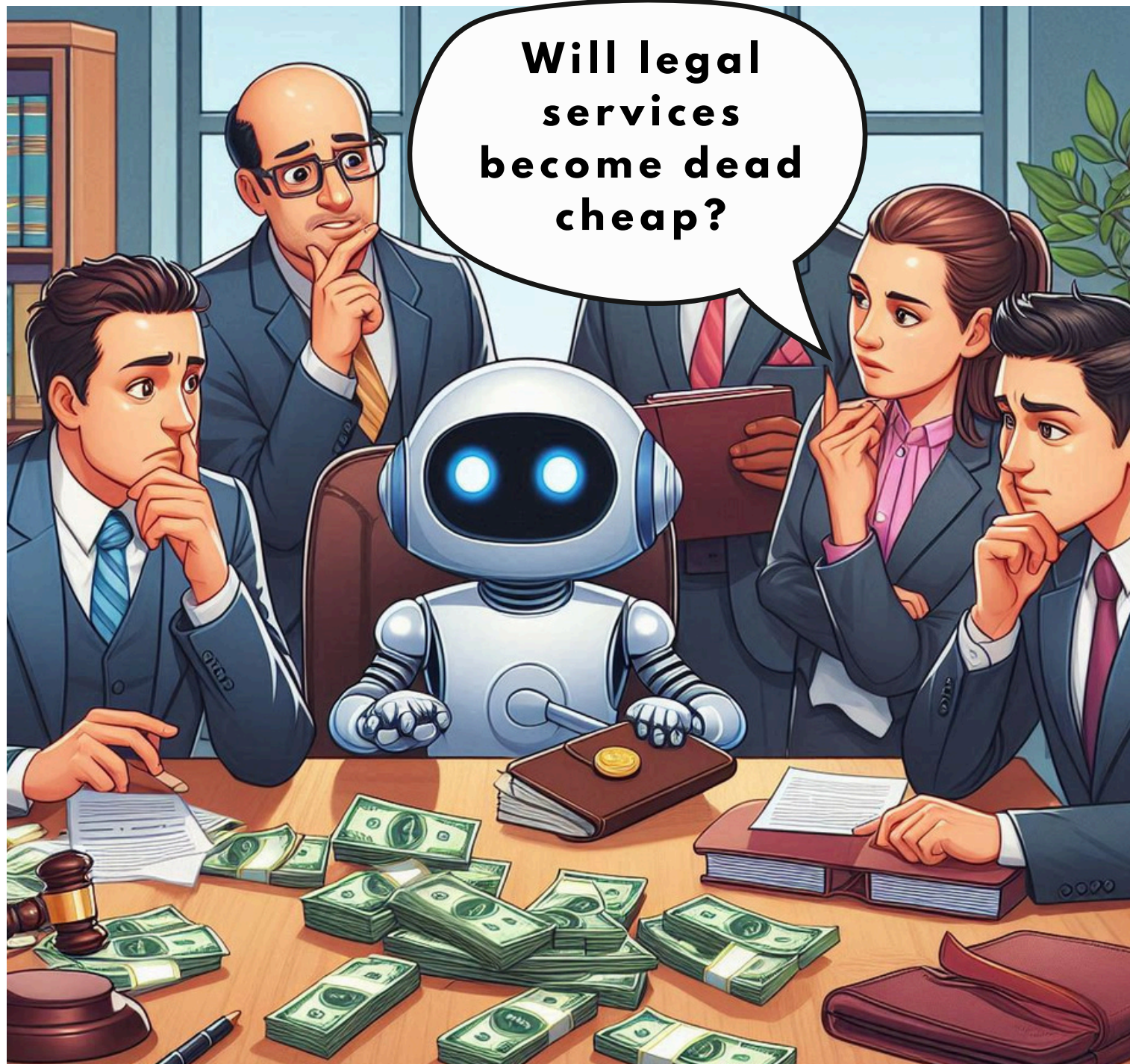


## LAWBY WRITES



Are Legal services going to become dead cheap in India?

Property Disqualification of Murderers in Indian Law

Artistic Freedom vs. Religious Sentiments

The Principle of Non Refoulement in extradition cases



# EDITORIAL



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Founder

## Are Legal services going to become dead cheap in India?

Kunal Bahl, the founder of Snapdeal and Co-founder of Titan Capital, has written on his LinkedIn space on 13.03.2025 that **“Repetitive and predictable tasks such as audit and legal will see a significant impact of AI efficiency.”** He further added that **“Auditors and law firms charge lakhs of rupees for highly manual tasks that can be automated to 90% levels. That should logically mean that their pricing power should drop commensurately”**. When a highly respected and seasoned veteran like Kunal Bahl makes an observation, it must be given due importance.

There are three angles I would like to approach the issue of lower prices from and they are as follows:-

1. The average cost of legal education in India
2. Average charges for legal tasks in metros and Tier 2 city
3. Adoption of AI technology by lawyers and clients

The average fees for legal education in India typically fall between INR 50,000 and INR 4,00,000 per year, with prestigious private institutions like Symbiosis Law School and other National Law Schools charging upwards of INR 3,00,000 annually. The **average total cost for a 5-year integrated LLB in private colleges is approximately between INR 7,50,000 to INR 15,00,000, though elite law schools can exceed INR 20,00,000 for the full course.**

**On an average, a fresh coat out of law college could make anywhere between 20,000 to 30,000 per month, with the exception of law graduates getting into in-house counsel positions or Tier -1 law firms that pay almost Rs.1,00,000 per month** (Trilegal, a leading Indian law firm, offers freshers a retainer compensation package of up to ₹19.5 lakhs per annum, including a fixed retainer of ₹16.5 lakh and an additional performance-based component of up to ₹3 lakh). There are 21 lakh advocates in India as of 2025 and every year, 60,000 more graduates complete their course and get enrolled and join the legal field. **One can only wonder how many of them would be able to recover the fees paid if the tidal legal market revenue goes shrinking.**

The average cost of legal consultations, opinions and legal documentation in India varies widely depending on factors like the complexity of the matter, the lawyer's experience, the type of service, and the geographic location. These averages blend urban and rural realities, balancing low-cost tech solutions with traditional lawyer fees.

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**Fees in metro cities (Delhi, Mumbai, Bangalore, Chennai) are 2–3 times higher than in smaller towns or a Tier-2 city due to demand and cost of living. For example, a legal notice might cost INR 15,000 in Mumbai but INR 5,000 in a Tier-2 city.** Junior lawyers approximately charge INR 2,000–10,000 per service, mid-tier advocates charge INR 10,000–50,000, and senior counsel practicing in High Courts and Supreme Court charge INR 50,000–5,00,000 or more, especially for opinions or high-value documentation. Litigation will be the last and almost never to be replaced by AI. Hence, we are not taking the fees chargeable there for discussion. We are limiting our scope to repetitive tasks like opinion and drafting of contracts.

**Complex tasks like negotiation, courtroom advocacy, strategic decision-making still demand human expertise, which AI cannot fully replicate. AI might predict outcomes or draft documents, but it won't argue before a judge anytime soon** (atleast that is what we hope for). So, while routine services like contract reviews or basic legal advice could see price drops, high-stakes work will likely hold its value.

Larger firms with resources to adopt AI might lower fees to stay competitive, passing savings to clients. Smaller firms or solo practitioners, though, may struggle to afford these tools, keeping their rates steady or even raising them to offset tech investments. **Tools like Kira Systems (used by firms like Cyril Amarchand Mangaldas) and homegrown startups like CaseMine or NearLaw leverage machine learning to summarize case law, rank precedents, and churn out drafts and opinions fast.**

**In India, lawyers are already using AI for Legal research (Lawbot Pro, ChatGPT, Perplexity), Document drafting, review and management (Sarvam.ai, Kira, Spotdraft), due diligence and compliance (Complinity), Legal Chatbots, predictive analytics, workflow automation and knowledge management.** The percentage of lawyers using AI is increasing day by day, almost reaching a point of inevitability. Clients are also looking to reduce costs and approve of lawyers using tech. The millennials who run their family business or who have started their own venture are highly tech-savvy and are willing to adopt DIY (Do it Yourself) methods to save costs in repetitive tasks.

It is prudent to note that the legal services market may take a hit in terms of revenue but the cost rationalization will increase legal compliance by many more (who earlier did not adopt legal formalization in their organization) that might offset the fall in revenue. Also, the unprecedented surge in entrepreneurship in India over the next decade can see sustaining or even increasing legal revenues. **Legal services are going to become cheaper, no doubt. However, dead cheap will be close to impossible. While we wait for the multiple realities to play out on this issue, it would be best for any lawyer to keep litigation work alive along with everyday reading of tech improvements in law.**

May lawyers never go out of work and good legal fees.





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# LEGAL CRISPS

## No Gain from Blood: Property Disqualification of Murderers in Indian Law

-Nithyaparvathy R G

In India, the law intertwines criminal penalties with civil consequences, primarily through provisions that prohibit murderers from inheriting property. This is grounded in the fundamental principle that wrongdoers must not profit from their wrongdoing. **Section 25 of the Hindu Succession Act, 1956** makes it amply clear that nobody who commits or aids and abets the offence of murder will inherit the property of the victim. This provision reflects a broader ethical stance: crime should not yield rewards. While the Act applies to Hindus, Buddhists, Jains, and Sikhs, similar principles echo across personal laws and judicial interpretations for other communities, making it a significant legal concept nationwide.

The disqualification rests on the principle that one loses their right of inheritance if their actions are the direct cause of the death of the person from whom they would have inherited. Section 25 does not explicitly define “murder,” which gives courts interpretative discretion. In the case of ***Kenchava v. Girmallappa (AIR 1924 PC 200)***, the Privy Council upheld the principle, holding that a murderer cannot inherit the victim's estate, as such inheritance would be contrary to the dictates of natural justice. This case set a precedent, emphasising that the disqualification applies irrespective of whether the murder was premeditated or spontaneous, so long as guilt is proven.

The Bombay High Court in ***Vasant Shankar Patil v. State of Maharashtra (CRIMINAL WRIT PETITION NO. 510 OF 2024)*** applied Section 25 to include the convictions under Section 304-B of the Indian Penal Code, 1860 (dowry death). The petitioner was convicted of causing the death of his wife by dowry harassment and was claiming her property.

The court dismissed his contention, arguing that dowry death, distinct from “murder” under Section 302, involves intentional harm leading to death. Justice N.J. Jamadar clarified that “murder” in the Hindu Succession Act should be understood in its ordinary sense, not strictly tied to the IPC’s technical definition, thus disqualifying the husband’s contention.

This arc of jurisprudence reflects how India’s legal system absorbed societal realities such as the scourge of dowry violence in rewriting the logic of law on appeal, while keeping some version of this logic intact: that no one should profit from their crime. A case in point is ***Chaman Lal v. State of Punjab (1970 AIR 1372)***, where the Supreme Court disqualified a son who murdered his father from inheriting his property, confirming the rule’s consistency. These rulings strike a balance of punishment and deterrence, ensuring property laws don’t inadvertently reward bad behaviour, an idea as old as justice.

To conclude, the disqualification of murderers from holding property in India is a strong legal protection that blends moral integrity with statutory rigour. Not only does this principle punish the guilty, but it also reinforces a fundamental principle of justice: crime cannot go unpunished.





# CASE CHRONICLE

## Artistic Freedom vs. Religious Sentiments

-Seethala B

**CASE NAME:** Kailash Kher v. State of Maharashtra

**CITATION:** [WP No. 2291 of 2024]

The legal dispute between artistic expression and religious sentiments came under judicial scrutiny in this case. The renowned singer Kailash Kher faced allegations under Sections 295A and 298 of the Indian Penal Code, 1860 (IPC), after a complaint was filed over his song Babam Bam.

A complaint was filed in **Ludhiana** against **Kailash Kher** and **Sony Music Entertainment Pvt. Ltd.**, claiming that a music video from the album *Kailasa Jhoomo Re* hurt religious sentiments. The complainant, a devotee of **Lord Shiva**, alleged that Kher's depiction of the song—singing and dancing with a scantily clad woman—was offensive.

The **Bombay High Court** quashed the complaint, holding that the **ingredients of Section 295A IPC—deliberate and malicious intent—were not established**. The Court stated:

*"Every action that might be disliked by a class of people may not necessarily lead to the outraging of religious sentiments, because an act without the intention to outrage religious feelings would not be covered under Section 295A."*

Referring to **Ramji Lal Modi v. State of U.P. (1957 SCC OnLine SC 77)**, the Court reiterated that **Section 295A penalizes only deliberate acts meant to insult religious beliefs**, not mere expressions that might unintentionally offend someone.

As for **Section 298 IPC**, which applies to deliberate words spoken to wound religious feelings, the Court found no evidence that Kher had such intent. It noted that the song **praised Lord Shiva** and did not contain any offensive language.

Additionally, the Court mentioned a quote of A.G. Noorani, a famous Supreme Court advocate, scholar, author, and political commentator, which reads,

*"Intolerance of dissent from the orthodoxy of the day has been the bane of Indian society for centuries. But it is precisely in the ready acceptance of the right to dissent as distinct from the mere tolerance that a free society distinguishes itself."*

Since prosecution under **Section 295A IPC** requires **sanction under Section 196(1) Code of Criminal Procedure, 1973**, the Court ruled that the case could not be sustained. Applying the **Bhajan Lal guidelines (1992 Supp (1) SCC 335)**, it concluded that the **allegations did not prima facie constitute an offence**.

Ultimately, the Bombay High Court allowed Kailash Kher's petition, reaffirming that artistic freedom cannot be curtailed without a deliberate intention to cause religious harm.





# BEYOND THE OBVIOUS

## The Principle of Non Refoulement in extradition cases

-Murshida Banu T

Under international human rights law, the principle of non-refoulement guarantees that no one should be returned to a country where they would face torturous, cruel, inhuman or degrading treatment or punishment and other irreparable harm. This concept is often found in the literature on refugee protection. But, it is equally applicable in extradition proceedings, whereby States refusing extradition ensure that a person's fundamental rights are not violated in the name of justice.

Several international instruments mention the non-refoulement principle,

- **Refugee Convention 1951:** Article 33(1) states that No Contracting State shall expel or return ("refouler") a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion.
- **Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, 1984:** Article 3 states that No State Party shall expel, return ("refouler") or extradite a person to another State where there are substantial grounds for believing that he would be in danger of being subjected to torture.
- **International Convention for the Protection of All Persons from Enforced Disappearances (ICPPED), 2010:** Article 16 of the convention states that "No State Party shall expel, return ("refouler"), surrender or extradite a person to another State where there are substantial grounds for believing that he or she would be in danger of being subjected to enforced disappearance."
- **Covenant on Civil and Political Rights (ICCPR), 1966:** General Comment No. 36 states that the "obligation not to extradite, deport, expel or otherwise remove a person from their territory, where there are substantial grounds for believing that there is a real risk of irreparable harm, such as that contemplated by Articles 6 and 7 of the Covenant, either in the country to which removal is to be effected or in any country to which the person may subsequently be removed." General Comment No. 31, para. 12, according to which "States parties must not expose individuals to the danger of torture or cruel, inhuman or degrading treatment or punishment upon return to another country by way of their extradition, expulsion or refoulement."
- **European Convention on Human Rights (ECHR), 1950:** Article 3 states that no one shall be subjected to torture or inhuman or degrading treatment or punishment in all circumstances. Human dignity must be respected, even in detention. Acts of torture or ill-treatment must be considered criminal offences.

In ***Chahal v United Kingdom [(1996) 23 EHRR 413]***, the European Court of Human Rights (ECHR) ruled that the UK could not deport Mr. Chahal, a Sikh separatist, to India due to the risk of torture or inhuman or degrading treatment, which would violate **Article 3 of the European Convention on Human Rights (ECHR)**.

The principle of non-refoulement serves as a crucial safeguard in extradition cases, ensuring that individuals are not sent to jurisdictions where they face a serious risk of human rights violations. It mandates the application of international treaties and jurisprudence by States to assess potential risks associated with extradition requests, thereby upholding fundamental human rights standards worldwide.



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# LAWBY WRITES

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