

# Chapter 13

## Indian Judgment Categorization for Practicing Similar Judgment Identification

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### ABSTRACT

*Recently, legal information retrieval has emerged as an essential practice for the legal fraternity. In the legal domain, judgment is a specific kind of legal document, which discusses case-related information and the verdict of a court case. In the common law system, the legal professionals exploit relevant judgments to prepare arguments. Hence, an automated system is a vital demand to identify similar judgments effectively. The judgments can be broadly categorized into civil and criminal cases, where judgments*

DOI: 10.4018/978-1-7998-7371-6.ch013

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*with similar case matters can have strong relevance compared to judgments with different case matters. In similar judgment identification, categorized judgments can significantly prune search space by restrictive search within a specific case category. So, this chapter provides a novel methodology that classifies Indian judgments in either of the case matter. Crucial challenges like imbalance and intrinsic characteristics of legal data are also highlighted specific to similarity analysis of Indian judgments, which can be a motivating aspect to the research community.*

## **INTRODUCTION**

Due to the advancements in digital and information technologies, a vast amount of data is being produced every day. In the Legal domain, various legal documents are also digitalized and preserved in online and offline repositories for convenient accessibility to Legal communities. There are multiple types of legal documents like Previous Judgments (i.e. court case documents), Laws, Statutes, Constitution, Bills, etc. Here, Legal systems are primarily categorized based on the importance given to the particular legal documents, such as *Common Law System* and *Civil Law System* (Raghav et al., 2016). Civil law system outweighs the codified statute which assists in deriving the judgment in the court as a crucial source of law. In contrast, common law system emphasizes on previous judgments given by the courts. It follows the belief of ‘stare decisis’ that similar facts and circumstances should be treated in a similar way (Mandal et al., 2018).

The Indian judiciary follows a Common law system where legal judgments are given significant importance, especially when existing laws cannot determine the outcome of a case (Trivedi et al., 2020). Legal professionals typically prepare their strategic arguments for a specific court case by manually finding relevant legal documents or judgments. However, manual identification practice is very tedious and laborious. This challenge demands an automated Legal document retrieval system. Therefore, AI-based Legal information retrieval applications have gained the significant attention from the Legal and information science community, such as identification of Similar Legal documents to a specific legal document (i.e. similar judgment identification in the Common law system) (Kumar et al., 2011; Kumar et al., 2013; Mandal et al., 2018; Raghav et al., 2015; Sugathadasa et al., 2018). This chapter mainly focuses on the application to identify similar Indian judgments given a specific judgment.

By analyzing Indian judgments, it is observed that legal cases be classified among several case matters like *labour*, *rent*, *direct tax*, *service*, etc. However, at a macro level, all the judgments may broadly classify into two categories: *civil* that indicates a case for a non-criminal activity like discrimination, divorces, child custody, property disputes, estate distribution, injury cases; and *criminal* indicates case for criminal offences like theft, assault, robbery, trafficking in controlled substances, murder, etc. In general, judgments with similar case matters can have strong relevance compared to judgments with different case matters. Hence, consideration of a categorized set of judgments (i.e. based on case matter) can potentially restrict the judgment search space to a particular set of judgments. This practice significantly avoids undesirable computational efforts in a similar judgment identification process.

This research proposes a novel judgment categorization approach that aims to classify the set of judgments based on their respective case matter. The judgments from Supreme Court of India (SCI) were collected from the prominent online Legal repository<sup>1</sup>, where judgments were not labeled with case mat-

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