

The Human Judicial Mind in the Age of Artificial Intelligence: A Critical Analysis of Judicial Decision-Making in India

Author- Archana Tiwari¹

Abstract

The growing use of Artificial Intelligence (AI) is transforming how legal information is researched, processed and applied within the justice system. In India, AI is increasingly used for legal research, translation, transcription, case management and other judicial functions, offering greater efficiency and accessibility while raising concerns about accuracy, bias, transparency, accountability and technological over-reliance. These concerns become particularly significant when AI produces convincing but false information, including fabricated legal authorities and case citations. This article critically examines AI-assisted judicial decision-making in India from the perspective of the human judicial mind. It traces the evolution of AI in legal practice, examines India's emerging judicial framework and relevant case law, and considers selected international approaches. It further analyses the benefits and risks of AI, including hallucination, algorithmic and automation bias, opacity and over-reliance. The article argues that judicial decision-making involves uniquely human functions such as evaluating facts, interpreting law, exercising discretion, giving reasons and assuming responsibility for outcomes. AI can support these functions, but should not replace them. The future of judicial AI should therefore be guided by technological progress that strengthens judicial capacity while preserving judicial reasoning, independence, accountability and the legitimacy of justice.

Keywords: Artificial Intelligence; Human Judicial Mind; Judicial Decision-Making; AI Hallucination; Generative AI; Judicial Discretion; Algorithmic Bias; Judicial Independence; AI and Judiciary; India.

Introduction

Artificial Intelligence ("AI") is no longer merely a technology of the future; it has entered the legal system through applications involving legal research, translation, transcription, case management and processing of legal information. The Indian judiciary has also adopted AI-

¹ Second-year LL.M. student (Criminal Law), N.B. Thakur Law College, Nashik, Maharashtra, India.

assisted initiatives such as SUPACE and SUVAS, while the Supreme Court of India has examined its broader implications in the White Paper on Artificial Intelligence and Judiciary published in November 2025.² This shift from computerisation to AI-assisted judicial processes raises a fundamental question: what should remain uniquely human in the act of judging?

Judicial decision-making involves more than retrieving information or identifying patterns. A judge must assess facts and evidence, interpret law and precedent, balance competing interests, exercise discretion and give reasons for the decision. Harry Surden notes that current AI systems are particularly useful for information processing and pattern recognition, but this does not make them equivalent to the reasoning involved in complex legal decision-making.³ This distinction is especially important with generative AI, which can produce fluent and apparently authoritative responses while generating incorrect propositions, fabricated authorities or non-existent citations.

The concern is no longer theoretical. In *Pooja Ramesh Singh v. Jammu & Kashmir Bank Ltd.*, the Supreme Court dealt with AI-generated legal citations that were found to be non-existent or inaccurately represented.⁴ The case demonstrates that while AI may assist legal work, its output cannot remove the decision-maker's responsibility to verify the law. The greater concern is therefore not merely machine error, but the possibility that technological convenience may weaken human verification, reasoning and accountability.

Against this background, this article examines the human judicial mind in the age of AI, tracing the development of AI in legal practice and examining India's emerging judicial framework and principal AI applications. It further considers selected international approaches and evaluates the benefits and risks of AI, including hallucination, algorithmic bias, opacity, automation bias and excessive reliance. At its core, the article examines whether AI should remain an aid to judicial reasoning or whether increasing technological capability may gradually influence the human process of adjudication.

The article argues that the challenge is not to choose between judges and technology, but to establish an appropriate relationship between them. AI can assist in finding, organising and processing information and can reduce administrative burdens. However, the assessment of

²Supreme Court of India, White Paper on Artificial Intelligence and Judiciary (Centre for Research & Planning, Nov. 2025).

³Harry Surden, Artificial Intelligence and Law: An Overview, 35 Ga. St. U. L. Rev. 1305, 1306–38 (2019), <https://readingroom.law.gsu.edu/gsulr/vol35/iss4/8>

⁴*Pooja Ramesh Singh v. Jammu & Kashmir Bank Ltd.*, 2026 INSC 668 (July 2, 2026).

facts, interpretation of law, exercise of discretion, formulation of reasons and acceptance of responsibility must remain with the human judge. Judicial legitimacy depends not only on the outcome but also on the reasoned and accountable process through which it is reached. The future of AI in the Indian judiciary should therefore pursue assisted intelligence rather than substituted judgment, ensuring that technological advancement strengthens justice without displacing the human judicial mind.⁵

AI and Its Evolution in the Legal Domain

Artificial Intelligence has evolved from rule-based systems designed for specific tasks into technologies capable of processing language, identifying patterns, generating content and assisting complex professional activities. This development has entered the legal domain, moving from computerisation and electronic databases to AI-assisted research, document analysis, translation and decision-support. Its significance lies not only in technological advancement but in its changing relationship with human legal judgment.⁶

Concept and Evolution of Artificial Intelligence

The foundations of AI predate the modern term. Alan Turing's 1950 work questioned whether machines could exhibit intelligent behaviour.⁷ The term "artificial intelligence" was coined in the 1955 proposal for the 1956 Dartmouth summer research project, authored by John McCarthy, Marvin Minsky, Nathaniel Rochester and Claude Shannon.⁸ Early AI relied mainly on programmed rules and symbolic reasoning. Advances in computing, data and statistical methods led to machine learning, where systems identify patterns from data. More recently, generative AI and large language models have enabled systems to generate content in response to human prompts.⁹

This evolution matters to law because AI has moved from predefined tasks towards natural-language processing and complex information analysis. However, producing a legally plausible

⁵Kranti Assocs. (P) Ltd. v. Masood Ahmed Khan, (2010) 9 SCC 496, 503–04.

⁶Harry Surden, Artificial Intelligence and Law: An Overview, 35 Ga. St. U. L. Rev. 1305, 1305–08 (2019), <https://readingroom.law.gsu.edu/gsult/vol35/iss4/8>.

⁷Alan M. Turing, Computing Machinery and Intelligence, 59 Mind 433, 433–35 (1950).

⁸John McCarthy, Marvin L. Minsky, Nathaniel Rochester & Claude E. Shannon, A Proposal for the Dartmouth Summer Research Project on Artificial Intelligence (1955), <https://www-formal.stanford.edu/jmc/history/dartmouth.pdf>; see also Stanford Univ., One Hundred Year Study on Artificial Intelligence: A Short History of AI, <https://ai100.stanford.edu/2016-report/appendix-i-short-history-ai>.

⁹Nat'l Inst. of Standards & Tech., Artificial Intelligence, NIST Computer Security Resource Center Glossary (updated Aug. 26, 2026), https://csrc.nist.gov/glossary/term/artificial_intelligence; Nat'l Inst. of Standards & Tech., Generative Artificial Intelligence, NIST Computer Security Resource Center Glossary, <https://csrc.nist.gov/glossary/term/genai>.

response does not mean that a system understands law or exercises legal judgment like a human. This distinction becomes crucial when AI enters judicial decision-making.

AI and Transformation of Legal Practice

Legal technology had already transformed practice through electronic records, databases and online research. AI has extended this process by identifying relevant materials, extracting information, analysing documents and detecting patterns in large legal datasets.¹⁰ It can assist with reviewing judgments, summarising documents, translation and preliminary research, reducing time spent on information-intensive work. Yet determining whether an authority is applicable, authoritative or persuasive remains a matter of human legal evaluation.¹¹

The important boundary is therefore between processing legal information and deciding its legal significance. As AI moves from retrieval towards prediction and recommendation, it increasingly intersects with legal reasoning and discretion.

Artificial Intelligence and the Indian Judiciary: An Overview

The Indian judiciary has moved from general digitalisation towards more specialised applications of Artificial Intelligence in judicial and administrative functions. This transition is not based on a single AI system or an attempt to replace judges with machines. Rather, India has adopted a gradual and largely assistive model in which AI and related technologies are being tested for legal research, translation, transcription, document processing, case management and other repetitive functions. The present Indian approach is therefore better understood as technology-assisted justice, where the objective is to improve efficiency and access while retaining human control over adjudication.¹²

Institutional Framework

The institutional development of AI within the Indian judiciary has taken place principally through the e-Courts framework and the Supreme Court's initiatives on judicial technology. The Supreme Court's Artificial Intelligence Committee has been constituted to explore and oversee the use of AI in the judicial domain. Its work has accompanied the broader

¹⁰Kevin D. Ashley, *Artificial Intelligence and Legal Analytics: New Tools for Law Practice in the Digital Age* (Cambridge Univ. Press 2017); Kevin D. Ashley, *Machine Learning with Legal Texts*, in *Artificial Intelligence and Legal Analytics* 234–58 (2017), <https://www.cambridge.org/core/books/artificial-intelligence-and-legal-analytics/machine-learning-with-legal-texts/7A55E8D261E3B5A89993AA59ED2F3601>.

¹¹Harry Surden, *supra* note 3, at 1309–16.

¹²Supreme Court of India, Centre for Research & Planning, *White Paper on Artificial Intelligence and Judiciary* (Nov. 2025), *Supreme Court of India, Reports*, <https://www.sci.gov.in/reports/>

development of e-Courts, particularly Phase III of the e-Courts Mission Mode Project. Approved in 2023 with an outlay of ₹7,210 crore for four years, Phase III seeks to move the judiciary towards more comprehensive digitisation, paperless courts and intelligent technological systems, including the use of Artificial Intelligence and Machine Learning.¹³

The White Paper on Artificial Intelligence and Judiciary, published by the Supreme Court's Centre for Research and Planning in November 2025, represents an important step in documenting the opportunities and risks associated with AI in judicial functioning. It places emphasis on responsible and human-centred adoption rather than technological substitution. The framework has subsequently moved towards more specific regulation. On 3 June 2026, the Supreme Court invited comments and suggestions on the draft Regulations for Use of Artificial Intelligence (AI) in Courts, 2026, with the consultation period later extended to 15 July 2026. The fact that the regulations remained in draft form during this period is significant: India was moving towards formal governance of judicial AI, but a comprehensive final regulatory framework had not yet replaced the existing pilot-based approach.¹⁴

Thus, India's institutional response has developed in stages: digitisation created the technological foundation, e-Courts expanded that infrastructure, the AI Committee explored specialised applications, and the White Paper and proposed 2026 Regulations have begun addressing governance and responsible use. This gradual development is important because it shows that AI in the Indian judiciary is being introduced as part of a wider institutional transformation rather than as an isolated technological experiment.

Major Applications

The practical use of AI in the Indian judicial system can be seen through several specialised initiatives. SUPACE (Supreme Court Portal for Assistance in Court Efficiency) was developed to assist judges by facilitating access to relevant case material and legal research. SUVAS (Supreme Court Vidhik Anuvaad Software) addresses the linguistic dimension of justice by assisting with translation of judicial documents. These initiatives demonstrate two relatively

¹³ Ministry of Law & Justice, Government of India, Artificial Intelligence Based Judicial Reform: e-Courts Software Applications Developed under eCourts Project (Dec. 18, 2025). The Union Cabinet approved e-Courts Phase III on Sept. 13, 2023, with a financial outlay of ₹7,210 crore.

¹⁴ Supreme Court of India, Notice dated 03.06.2026, Seeking Views/Suggestions on the Draft Regulations for Use of Artificial Intelligence (AI) in Courts, 2026 (comments initially invited by June 20, 2026; time subsequently extended to July 15, 2026).

low-risk areas of judicial AI: reducing information-processing burdens and overcoming language barriers, while leaving the final judicial assessment to the judge.¹⁵

Other tools extend this assistive approach. LegRAA (Legal Research Analysis Assistant) has been developed to assist judges with legal research and document analysis. ASR-SHRUTI provides speech-to-text functionality, while PANINI provides translation support, including assistance in order and judgment dictation. The Supreme Court, in collaboration with IIT Madras, has also tested AI and Machine Learning tools for curing filing defects, extracting metadata and integrating such functions with electronic filing and case-management systems. These applications are significant because they operate primarily at the stages of information processing and administrative assistance, rather than determining the legal outcome of a dispute.¹⁶

It is also necessary to distinguish AI applications from the broader technological infrastructure supporting India's justice system. ICJS (Interoperable Criminal Justice System) seeks to integrate information across criminal justice institutions, while NAFIS (National Automated Fingerprint Identification System) provides a nationwide fingerprint database and identification capability. They are important components of India's technology-enabled criminal justice infrastructure, but they should not automatically be described as autonomous judicial AI. Their relevance to the present study lies in demonstrating the wider movement towards interconnected, data-driven justice systems within which AI-based applications can operate.

The overall pattern is therefore clear. Indian judicial technology is being applied predominantly to search, translate, transcribe, organise, identify and process information. These functions may substantially reduce the routine burden on courts, but they do not by themselves confer judicial authority upon a machine. The distinction becomes much more significant when courts themselves begin referring to generative AI in adjudicatory contexts.

Indian Case Studies

¹⁵ Ministry of Law & Justice, Department of Justice, Statement Referred to in Reply to Parts (a) to (d) in Respect of Rajya Sabha Starred Question No. 289 for Reply on 19.03.2026 Regarding "Use of Artificial Intelligence in Legal System", 2026. <https://www.doj.gov.in/static/uploads/2026/04/b7b4da487543be9a9f1d1558d06d76d2.pdf>

¹⁶ Ministry of Law & Justice, *supra* note 13; Supreme Court of India, MOUs Signed Between Supreme Court and IIT Madras (Oct. 12, 2023).

Jaswinder Singh @ Jassi v. State of Punjab¹⁷, decided by the Punjab and Haryana High Court on 27 March 2023. While considering a bail application, Justice Anoop Chitkara referred to ChatGPT to obtain a broader perspective on the jurisprudence concerning bail where an assault involved cruelty. The order reproduced the response but expressly clarified that the reference to ChatGPT was neither an expression of opinion on the merits of the case nor something to be relied upon by the trial court. The case is important not because AI decided the bail application (it did not), but because it illustrates the first visible movement of generative AI from background legal technology into the reasoning environment of an Indian court. At the same time, the judge's express limitation on the role of ChatGPT demonstrates an awareness that AI-generated material cannot replace judicial assessment.

Pooja Ramesh Singh v. Jammu & Kashmir Bank Ltd. & Anr.¹⁸ In this case, the Supreme Court found that the NCLT had relied upon non-existent and AI-generated material presented as legal precedent, and that this material escaped scrutiny by the NCLAT, which affirmed the NCLT's decision. The Supreme Court set aside the impugned orders and emphasised that courts may adopt AI in aid of adjudication, but must retain "total and absolute control over adjudication," with a human in the loop at every stage. The Court also declared zero tolerance for the Bar and the Bench in citing or relying on unverified AI-generated precedents, and directed the Bar Council of India to constitute a committee to prescribe guiding principles and disciplinary consequences for such conduct.

The significance of Pooja Ramesh Singh extends beyond the immediate error. It establishes an important judicial principle for India's emerging AI environment: AI assistance is not prohibited, but AI-generated legal content cannot acquire the status of law merely because it appears authoritative. The authenticity of authorities, accuracy of propositions and applicability of precedent must still be independently assessed. In this sense, the case directly connects the practical use of AI with the central concern of this article: the preservation of human judicial evaluation.

Emerging Indian Position

¹⁷Jaswinder Singh @ Jassi v. State of Punjab, CRM-M-22496-2022, 2023:PHHC:044541 (P&H H.C. Mar. 27, 2023).

¹⁸Pooja Ramesh Singh v. Jammu & Kashmir Bank Ltd., Civil Appeal No. 11950 of 2025, 2026 INSC 668, ¶¶ 1, 7, 9 (July 2, 2026), searched Sept. 15, 2026, 6:20 PM IST, <https://www.sci.gov.in/landmark-judgment-summaries/>

The Indian position is neither one of technological resistance nor unrestricted adoption, but an assistive and human-controlled model. AI is being used to reduce repetitive work, improve legal research and access to information, address language barriers and process large volumes of material. The judicial responses in Jaswinder Singh and Pooja Ramesh Singh emphasise verification and human responsibility rather than autonomous adjudication. However, gaps remain concerning algorithmic bias, language and translation, data privacy and security, and the absence, at the relevant stage, of a comprehensive framework governing AI across judicial processes. The Draft Regulations for Use of AI in Courts, 2026 indicate movement towards greater regulation, although their draft status shows that India's approach is still developing. Thus, India is moving towards a controlled use of AI in which technology supports, but does not replace, human judicial reasoning. The key challenge is to ensure that greater technological use does not reduce the judge's independent role in deciding cases.

AI and the Judiciary: A Comparative Global Perspective

India's emerging approach to judicial AI is largely assistive, but other jurisdictions show different ways of balancing technological efficiency with human judicial control. The comparison is useful for understanding how systems address transparency, reliability, accountability and judicial independence.¹⁹

United States

In *State v. Loomis*, the Wisconsin Supreme Court considered the use of the proprietary COMPAS risk-assessment system at sentencing. The Court permitted its consideration but imposed limitations, including that the assessment could not be determinative and had to be considered with other relevant factors²⁰. The case illustrates that algorithmic tools may assist judicial assessment without becoming a substitute for individualised judicial judgment.

European Union

The European Union has adopted a structured approach through the Artificial Intelligence Act, 2024. Certain AI systems intended to assist judicial authorities in researching or interpreting facts and law are treated as high-risk because of their potential impact on fundamental rights

¹⁹ See Regulation (EU) 2024/1689 of the European Parliament and of the Council of June 13, 2024, O.J. L, 2024/1689, 12.7.2024, recital 61; Isabella Banks, *Judges-in-the-Loop? Judicial Involvement in Human Oversight of High-Risk Decision Support Systems Under the EU AI Act*, 34 Int'l J.L. & Info. Tech. eaag001 (2026)

²⁰ *State v. Loomis*, 881 N.W.2d 749, 761–69 (Wis. 2016), searched Sept. 16, 2026, 8:59 PM IST, <https://law.justia.com/cases/wisconsin/supreme-court/2016/2015ap000157-cr.html>.

and the rule of law.²¹ The Act requires human oversight and places safeguards around their use. However, scholarship questions whether formal human oversight is sufficient where judges may find it difficult to identify or challenge unreliable AI outputs. Thus, human involvement must be meaningful rather than merely procedural.²²

China

China has developed an integrated “smart court” model, with the Supreme People’s Court promoting AI in adjudication, enforcement, litigation services and court management. The Supreme People’s Court’s 2022 Opinions envisage AI support across judicial work, including aspects of reasoning, while stipulating that AI shall not replace judges in adjudication and that its outputs may serve only as a reference.²³ While this can improve efficiency, it raises questions concerning standardisation, judicial discretion and accountability.

Estonia

Estonia provides a useful caution against exaggerated claims of autonomous judging. Although reports suggested that Estonia was developing an AI system to decide small claims, its Ministry of Justice clarified that no such “AI judge” project existed and that technology was instead intended to reduce administrative burdens and automate appropriate procedural tasks.²⁴

These experiences offer different approaches rather than a single model for India. The United States demonstrates limits on algorithmic influence, the European Union emphasises risk regulation and human oversight, China reflects deeper technological integration, while Estonia highlights the distinction between assistance and replacement. For India, the central concern should therefore be maintaining a clear boundary between technological assistance and human adjudication, particularly as AI moves closer to substantive judicial reasoning.

Benefits, Risks and Challenges of AI in Judicial Decision-Making

The use of AI in judicial processes offers significant institutional benefits, but efficiency cannot be separated from accuracy, accountability and fairness. Courts decide matters affecting rights,

²¹ Regulation (EU) 2024/1689, *supra* note 19, recital 61, annex III, point 8(a).

²² Isabella Banks, Judges-in-the-Loop? Judicial Involvement in Human Oversight of High-Risk Decision Support Systems Under the EU AI Act, 34 Int’l J.L. & Info. Tech. eaag001 (2026), searched Sept. 16, 2026, 8:59 PM IST, <https://doi.org/10.1093/ijlit/eaag001>.

²³ Supreme People’s Court of the People’s Republic of China, Opinions on Regulating and Strengthening the Application of Artificial Intelligence in the Judicial Field (2022), searched Sept. 16, 2026, 8:59 PM IST, https://english.court.gov.cn/2022-12/12/c_838810.htm.

²⁴ Ministry of Justice and Digital Affairs, Republic of Estonia, *Estonia Does Not Develop AI Judge* (Feb. 16, 2022).

liberty and property; therefore, AI must be assessed not merely by what it can automate, but by whether its use preserves the quality and legitimacy of judicial decision-making.

Benefits:

AI can process large volumes of judgments, statutes and case materials rapidly, assisting with legal research, summarisation, transcription, translation and document management. In India's multilingual and increasingly digital judicial system, these functions can reduce repetitive work, assist with filing and case organisation, and allow judges to devote greater attention to legal interpretation, evaluation of evidence and reasoning. Its principal value therefore lies in supporting human judicial work rather than performing adjudication itself.

Risks:

A major concern with generative AI is hallucination, where false or fabricated information is presented convincingly. NIST identifies this problem as “confabulation.”²⁵ In legal proceedings, fabricated authorities or quotations can directly distort legal reasoning, as illustrated by *Pooja Ramesh Singh v. Jammu & Kashmir Bank Ltd.* AI also presents risks of algorithmic bias, where problematic training data may reproduce existing inequalities, and automation bias, where users may place undue confidence in machine-generated recommendations. Opacity creates another concern because parties and judges may be unable to understand or challenge how an AI system produced a particular output. Privacy and data-protection concerns are equally important because judicial records may contain sensitive personal and legal information.

Challenges:

These risks create wider institutional challenges concerning accountability, explainability, data quality and cybersecurity. Responsibility for an AI-assisted error cannot be transferred to the technology; human decision-makers must remain accountable. AI outputs must also be explainable and independently verifiable, particularly where proprietary systems are involved. Poor or outdated data may produce unreliable results, while interconnected judicial databases require strong cybersecurity. NIST accordingly treats reliability, security, transparency, explainability, privacy and fairness as interconnected elements of trustworthy AI.²⁶

²⁵ Nat'l Inst. of Standards & Tech., Artificial Intelligence Risk Management Framework: Generative Artificial Intelligence Profile, NIST AI 600-1, § 2.2 (July 2024).

²⁶ Nat'l Inst. of Standards & Tech., Artificial Intelligence Risk Management Framework (AI RMF 1.0), NIST AI 100-1, § 3 (Jan. 2023).

The deeper challenge is therefore maintaining reasoned, transparent and accountable human judgment while using AI for legitimate assistance. Without adequate training, verification and regulation, technological efficiency may gradually create dependence on machine-generated reasoning. The central question is not whether AI can assist courts, but whether its use can remain consistent with the human responsibility at the heart of judicial power.

Critical Analysis of AI and Human Judicial Reasoning

The central issue in the use of Artificial Intelligence in courts is not whether a machine can process information faster than a human judge. It is whether the process of judicial decision-making can be reduced to information processing at all. A judgment is not simply the selection of an answer from a large body of legal material. It requires the judge to understand the dispute, assess the reliability of evidence, interpret legal rules, consider the circumstances of the parties and explain why one conclusion is preferred over another. AI can assist several of these stages, but assistance does not necessarily amount to judicial reasoning. The distinction between the two is fundamental to determining the proper place of AI in adjudication.

Human Reasoning and Judicial Decision-Making

Judicial reasoning begins with an engagement with the particular dispute before the court. Facts do not always arrive in a neat or complete form; evidence may be conflicting, incomplete or differently interpreted by the parties. A judge must determine what is relevant, assess credibility and weight, and connect the established facts with the applicable law. AI may help organise evidence or identify patterns in a large body of material, but the legal significance of a fact depends upon its relationship with the circumstances of the particular case.

The same distinction applies to the interpretation of law. Legal rules are not always applied mechanically. Courts frequently have to interpret statutory language, reconcile competing principles, distinguish precedents and determine how established doctrine applies to new factual circumstances. Context can therefore change the significance of both facts and legal rules. An AI system may identify authorities that appear relevant, but relevance is not the same as applicability. The final assessment requires a reasoned connection between the law, the evidence and the circumstances before the court.

This is where the human judicial mind performs a function that cannot be equated with computational efficiency. Judicial reasoning involves not merely finding a possible answer but justifying why that answer is legally and factually warranted in the particular dispute. Contemporary scholarship similarly cautions against treating judicial decision-making as an isolated prediction problem, because the interaction between judges and AI systems can itself affect how human decision-makers evaluate information and exercise judgment.²⁷

Judicial Discretion and Application of Mind

Judicial discretion does not mean unrestricted personal choice. It operates within legal boundaries and is exercised where the law leaves room for evaluation, particularly when competing interests or principles must be balanced. Questions concerning bail, sentencing, remedies, proportionality, equitable relief and the protection of individual rights may require attention to circumstances that cannot be adequately represented through a predetermined computational output.

The difficulty with excessive reliance on AI is therefore not simply that an algorithm might produce an incorrect answer. It is that the decision-maker may gradually begin to treat the machine's assessment as the starting point, or even the implicit endpoint, of the inquiry. An apparently neutral recommendation can influence what the judge notices, which authorities receive attention and how alternative conclusions are assessed. This phenomenon is especially important because automation bias can operate without the decision-maker consciously surrendering control.

Individualised justice requires the opposite approach. A judge must remain capable of asking whether the particular circumstances of the case justify departing from a general pattern or recommendation. An AI system may identify similarities between cases, but similarity does not establish identity. Two disputes may share legal characteristics while differing in evidence, social context, degree of harm or the interests affected. Human judgment is therefore necessary not because machines are incapable of processing facts, but because justice sometimes depends upon recognising why an apparently similar case is materially different.

Reasons, Accountability and Judicial Independence

²⁷Arthur Dyeve & Ahmad Shahvaroughi, Man and Machine: Artificial Intelligence and Judicial Decision Making 1–4 (2026), <https://doi.org/10.48550/arXiv.2603.19042> searched Sept. 16, 2026, 7:25 PM IST, <https://arxiv.org/abs/2603.19042>

The requirement that courts provide reasons makes the distinction between AI assistance and judicial reasoning even more significant. In *Kranti Associates (P) Ltd. v. Masood Ahmed Khan*, the Supreme Court emphasised that reasons demonstrate that discretion has been exercised on relevant grounds, facilitate judicial review and provide assurance that the decision-maker has applied its mind to the matter.²⁸ Reasons are consequently not a decorative addition to a judgment; they provide the visible connection between the material considered and the conclusion reached.

This principle creates a particular difficulty for AI-assisted adjudication. A judge cannot discharge the duty to give reasons merely by reproducing or adopting an AI-generated conclusion. The judgment must reveal the judge's own evaluation of the relevant facts and law. If the reasoning process becomes dependent upon an unexplained technological recommendation, the formal presence of reasons may conceal an absence of genuine application of mind.

Judicial independence is also implicated. Independence does not merely mean freedom from external pressure; it includes the institutional capacity of a judge to exercise independent legal judgment. If technological systems become deeply embedded in research, recommendation or case assessment, there is a possibility of functional dependence even without any formal transfer of judicial power. The safeguard, therefore, is not simply to keep the judge technically “in the loop,” but to ensure that the judge remains intellectually capable and institutionally responsible for questioning the system's output.

Hallucination and Human Responsibility

The problem of AI hallucination acquires a different significance when viewed through the principles of judicial reasoning. If an AI system produces a non-existent case, fabricated quotation or false legal proposition, the immediate problem is factual inaccuracy. The deeper legal problem arises when that material is accepted as authority and becomes part of the reasoning on which a judicial decision rests.

The Supreme Court confronted precisely this problem in *Pooja Ramesh Singh v. Jammu & Kashmir Bank Ltd.* The Court found that the NCLT had relied upon non-existent, fake and hallucinated AI-generated material as precedent, which also escaped scrutiny by the NCLAT.

²⁸*Kranti Assocs. (P) Ltd. v. Masood Ahmed Khan*, (2010) 9 SCC 496, 510–11, ¶¶ 47–51, searched Sept. 16, 2026, 7:25 PM IST, <https://indiankanoon.org/doc/1304475/>

It set aside both decisions and declared that courts may adopt AI “in aid of adjudication” while retaining “total and absolute control over adjudication,” with a human in the loop at every stage.²⁹ The Court further stated that courts must adopt a zero-tolerance approach towards producing, citing or relying upon AI-generated precedents without verification.

The significance of the decision lies in the location of responsibility. An AI system cannot bear judicial responsibility for an erroneous judgment. It cannot explain why a fabricated authority was accepted, defend the interpretation adopted, or answer a litigant seeking review. Responsibility remains with the human decision-maker and the institutional actors who permit the system to be used. Verification is therefore not an optional precaution added after AI has performed its task; it is part of the judicial function itself.

This also exposes a fundamental difference between information supplied by AI and reasons supplied by a court. AI can generate a proposition, but it cannot make that proposition legally authoritative. Authority comes from recognised legal sources and from the judicial process through which those sources are evaluated and applied. A machine-generated answer may assist the judge in locating material, but the judge must independently determine whether the material exists, whether it is authentic, whether it remains good law, and whether it actually supports the proposition for which it is being used.

Assistance or Substitution?

The proper boundary between AI and judicial reasoning should therefore be drawn according to function and responsibility, rather than technological sophistication. AI may search, classify, translate, transcribe, summarise and identify potentially relevant material. It may also generate suggestions or recommendations. These functions can be valuable precisely because they leave the final evaluative task with the human decision-maker.

The boundary becomes problematic when assistance begins to influence the substance of adjudication without adequate scrutiny. A recommendation can shape the questions asked; a summary can determine which facts receive attention; a predicted outcome can create an expectation against which alternative conclusions are measured. The danger is therefore not confined to a hypothetical future in which a machine formally “becomes the judge.” A subtler

²⁹Pooja Ramesh Singh v. Jammu & Kashmir Bank Ltd., 2026 INSC 668, ¶¶ 1, 7 (July 2, 2026), searched Sept. 16, 2026, 7:25 PM IST, <https://indiankanoon.org/doc/113338666/>

form of substitution may occur when the human judge retains formal authority but increasingly relies upon machine-generated reasoning.

The appropriate model is consequently neither complete rejection of AI nor technological substitution of the judge. It is a human-controlled model of judicial assistance: AI may process information, identify possibilities and support research; the judge must evaluate those outputs, exercise discretion, resolve competing considerations and provide reasons for the decision. The distinction is not merely about preserving a human presence in the courtroom. It is about preserving human responsibility for the act of judging itself.

In this sense, the question is not whether AI can imitate parts of judicial reasoning. Increasingly, it can. The more important question is whether the judicial system should permit such imitation to become a substitute for the reasoning through which judicial authority is legitimately exercised. A court's decision derives its legitimacy not simply from the correctness of its result, but from a process in which relevant facts are considered, law is interpreted, discretion is exercised and reasons are publicly given. AI can support that process; it should not become the source to which the responsibility for that process is transferred.

Suggestions

The increasing use of Artificial Intelligence in the Indian judiciary requires a regulatory approach that promotes technological innovation without weakening human judicial responsibility. The objective should not be to prevent the use of AI, but to ensure that AI remains an assistive tool rather than an autonomous decision-maker. In this regard, the following safeguards may strengthen the responsible use of AI in judicial decision-making.

First, human oversight must remain central to every consequential judicial use of AI. AI-generated research, summaries, translations, recommendations or analytical outputs should always remain subject to independent judicial scrutiny. The final determination of facts, interpretation of law, appreciation of evidence and exercise of discretion must remain with the judge. AI should therefore assist judicial reasoning, but should not displace the judge's responsibility to independently apply the law and give reasons for the decision.

Second, mandatory verification of AI-generated legal material should be introduced. The experience of *Pooja Ramesh Singh v. Jammu & Kashmir Bank Ltd.* demonstrates the danger of relying upon unverified AI-generated authorities. Where AI is used for legal research, every case, statutory provision, quotation, paragraph and legal proposition generated or identified by

the system should be independently verified against an authentic legal source before being relied upon in judicial work. This is particularly important because generative AI may produce convincing but non-existent authorities or inaccurate statements of law.

Third, judicial officers and court staff should receive specialised AI training. Training should not be limited to the technical operation of AI tools. Judges should understand the limitations of generative AI, including hallucinations, algorithmic bias, unreliable outputs, automation bias and the possibility of manipulated or incomplete data. Such training would enable judges to use AI critically rather than treating its output as inherently authoritative.

Fourth, India should develop clear guidelines specifically dealing with generative AI in courts. Existing frameworks concerning digitalisation and AI-assisted judicial processes should be supplemented by rules addressing the particular risks of generative systems. Such guidelines should specify when AI may be used, what categories of judicial work require additional safeguards, what information may be entered into AI systems, and when human verification is mandatory.

Fifth, transparency and explainability should accompany judicial use of AI. Where an AI system materially contributes to legal research, case management or decision-support, there should be sufficient information regarding its purpose, function and limitations. A judge should be able to understand, at an appropriate level, what the system has been used for and what reliance, if any, has been placed upon its output. This is particularly important where technological assistance may influence the reasoning process in cases affecting fundamental rights.

Sixth, strong data-protection safeguards are necessary. Judicial records may contain highly sensitive personal, financial and confidential information. Such information should not be entered into AI systems without appropriate safeguards regarding confidentiality, storage, access, processing and secondary use. The adoption of AI in courts must therefore remain consistent with applicable data-protection and privacy requirements.

Seventh, AI systems used in the justice system should be subjected to periodic bias and accuracy audits. AI systems are capable of reproducing biases contained in their training data or underlying datasets. Independent testing should therefore examine whether an AI tool produces systematically inaccurate or discriminatory results across different categories of cases or persons. Such audits should be conducted periodically rather than only at the time of deployment.

Eighth, clear accountability mechanisms should be established. The use of AI should never create uncertainty regarding who is responsible for a judicial decision. Responsibility must remain identifiable even when technological assistance has been used. Appropriate institutional mechanisms should therefore address errors arising from defective systems, inaccurate outputs, inadequate verification or inappropriate use of AI.

Ninth, autonomous decision-making should have clearly defined limits. AI may appropriately perform certain administrative and assistive functions, such as transcription, translation, document classification, search and retrieval. However, functions involving determination of guilt, liability, credibility, constitutional rights or the exercise of judicial discretion require meaningful human involvement. The greater the potential impact of an AI-assisted function on individual rights, the greater should be the level of human scrutiny required.

Tenth, AI systems used in courts should be subject to periodic review. Technological systems cannot be treated as permanently reliable merely because they were approved at the time of introduction. Their accuracy, security, fairness, effectiveness and impact on judicial reasoning should be periodically evaluated. Feedback from judges, lawyers and other stakeholders should also be incorporated into subsequent improvements.

Finally, technological development must not compromise judicial independence. The adoption of AI should not permit technology providers, governmental agencies or other external actors to exercise indirect influence over judicial reasoning or outcomes. Decisions concerning the design, procurement and deployment of AI in courts should therefore remain institutionally accountable and consistent with the constitutional independence of the judiciary. The central principle should be that technology may assist the judicial mind, but it cannot become the source of judicial authority itself.

Overall, India's approach should move towards a model of responsible and human-centred judicial AI. The success of AI in the justice system should not be measured merely by speed or efficiency, but also by whether it preserves accuracy, fairness, transparency, reasoned decision-making and judicial independence. The objective should consequently be not an AI-driven judiciary, but a judiciary in which AI is carefully controlled and meaningfully used to strengthen, rather than substitute, human judicial reasoning.

Conclusion

The growing use of Artificial Intelligence in the Indian judiciary demonstrates that technology can significantly support the administration of justice. Tools such as SUPACE, SUVAS, LegRAA, ASR-SHRUTI and PANINI, together with the wider e-Courts Phase III framework, can assist with legal research, translation, transcription, document processing and other information-intensive tasks. However, judicial decision-making extends beyond processing information. It requires the evaluation of facts and evidence, interpretation of law, exercise of discretion, consideration of competing interests and the giving of reasons.

The Indian case studies demonstrate both the potential and limitations of AI. Jaswinder Singh @ Jassi v. State of Punjab shows how generative AI may be used as a supplementary research aid, while Pooja Ramesh Singh v. Jammu & Kashmir Bank Ltd. demonstrates the danger of relying upon unverified AI-generated legal material. The latter case makes clear that convincing technological output cannot be treated as legal authority without independent human verification. The comparative experience further indicates that meaningful human oversight is essential as AI becomes increasingly involved in judicial processes.

The Supreme Court's White Paper on Artificial Intelligence and Judiciary (2025) and the Draft Regulations for Use of Artificial Intelligence in Courts, 2026 reflect an emerging effort to establish responsible safeguards. Nevertheless, effective governance must address not only hallucination and inaccurate outputs but also automation bias, opacity, data protection and the possibility that machine-generated suggestions may gradually influence independent judicial reasoning. Judicial training, verification, transparency, accountability and strong data safeguards are therefore essential.

The central conclusion of this study is that AI should assist judicial reasoning, not replace judicial responsibility. Technology may help judges process information more efficiently, but the interpretation of law, appreciation of evidence, exercise of discretion and justification of decisions must remain within human judicial control. The future of AI in the Indian judiciary should therefore be one of responsible technological assistance, where innovation strengthens judicial capacity without weakening independence, accountability and the legitimacy of human adjudication. AI may assist the process of judging, but the responsibility for judging must remain human.

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