



HIGH COURT OF JUDICATURE AT ALLAHABAD
CRIMINAL REVISION No. - 549 of 2026

Devendra Singh

.....Revisionist(s)

Versus

State of U.P. and Another

.....Opposite
Party(s)

Counsel for Revisionist(s)	:	Atiqur Rahman Siddiqui
Counsel for Opposite Party(s)	:	G.A.

Court No. - 85

HON'BLE MANOJ BAJAJ, J.

Concededly, the petitioner did not surrender when the appeal was dismissed on 15.12.2025 and judgment of conviction passed by the trial court on 19.03.2025 was affirmed by the appellate court.

According to learned counsel the petitioner soon after dismissal of his appeal the petitioner suffered heart attack and in this regard reliance is placed upon the medical record/discharge summary appended with the supplementary affidavit dated 08.02.2026.

The impugned judgment dated 15.12.2025 does not reveal that any application for exemption was filed by the appellant when his appeal was finally decided in the presence of his counsel. Neither any such application seeking exemption from surrendering has been filed by him before this Court alongwith the present revision, though a prayer for suspension of sentence has been made by a separate application.

During the course of hearing Sri Atiqur Rahman Siddiqui, learned counsel appearing for the petitioner was asked for surrender of the petitioner, but in response learned counsel states that the petitioner will not surrender because of his health conditions.

A perusal of the discharge summary would indicate that after the treatment the petitioner has been advised mild exercise who can walk and climb stairs also and considerable period has elapsed after his discharge from the hospital. Since, the petitioner is yet to surrender this Court is not inclined to entertain his revision till his surrender.

The trial court is directed to take steps for arrest of the convict pursuant to the impugned judgment dated 15.12.2025 by the appellate court.

List this case on 11.05.2026, as fresh.

(Manoj Bajaj,J.)

March 25, 2026
R./