



IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

Criminal Appeal No(s). 1205/2026
SLP (CrL.) No(s). 1291/2026

DILAWAR & ORS.

Appellant(s)

VERSUS

STATE OF U.P

Respondent(s)

O R D E R

1. Leave granted.
2. Heard learned counsel for the parties.
3. This appeal arises from an order dated 03.09.2025 passed by the High Court of Judicature at Allahabad rejecting the prayer of the appellant(s) to suspend the sentence awarded by the trial court vide judgment and order dated 30.07.2024.
4. The submission of the learned counsel for the appellant(s) is that the sentence awarded by the trial court is 7 years R.I. and, by now, the appellant(s) have already

served over 1 year 8 months in jail. It has also been submitted that there is a cross-version of the incident which is being tried separately and both sides have received injuries.

5. Be that as it may, having regard to the fact that a term sentence has been awarded to the appellant(s), we are of the view that the appellant(s) are entitled to be released on bail after suspension of sentence pending consideration of the appeal.

6. Consequently, the appeal is allowed and the order of the High Court rejecting the prayer for suspension of sentence is set aside. The sentence awarded by the trial court shall remain suspended pending consideration of the appeal by the High Court. The appellant(s) shall be released on bail on such terms and conditions as the trial court may deem fit to impose in the facts and circumstances of the case.

7. Pending application(s), if any, shall stand disposed of.

.....J
[MANOJ MISRA]

.....J
[MANMOHAN]

New Delhi;
March 09, 2026

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Criminal Appeal No(s). 1205/2026
SLP (Crl.) No(s). 1291/2026

DILAWAR & ORS.

Appellant(s)

VERSUS

STATE OF U.P

Respondent(s)

IA No. 12605/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT

IA No. 12604/2026 - EXEMPTION FROM FILING O.T.

Date : 09-03-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE MANOJ MISRA

HON'BLE MR. JUSTICE MANMOHAN

For Appellant(s) :

Mr. Bhuwan Raj, AOR
Mrs. Manju Savita, Adv.
Mr. Subhangam Padhy, Adv.
Mr. Satish Kushwaha, Adv.

For Respondent(s) :

Mr. Arup Banerjee, AOR
Mrs. Noopur Dubey, Adv.
Mr. Shiv Pratap Singh, Adv.
Mr. Amitabh Poddar, Adv.
Mr. Tanisha Dev Kadam, Adv.
Mr. Rajiv Agnihotri, Adv.

UPON hearing the counsel the Court made the following
O R D E R

1. Leave granted.
2. The appeal is allowed in terms of the signed order which is placed on the file.

3. Pending application(s), if any, shall stand disposed of.

**(CHETAN ARORA)
ASTT. REGISTRAR-cum-PS**

**(SAPNA BANSAL)
COURT MASTER (NSH)**