

ITEM NO.16

COURT NO.17

SECTION II-D

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

SPECIAL LEAVE PETITION (CRIMINAL) Diary No.2052/2026

[Arising out of impugned final judgment and order dated 18-04-2009 in CRLA No. 548/1999 passed by the High Court of Delhi at New Delhi]

ASGAR @ PAKORI

Petitioner(s)

VERSUS

STATE (GOVT. OF NCT OF DELHI)

Respondent(s)

IA No. 46419/2026 - CONDONATION OF DELAY IN FILING

IA No. 46428/2026 - EXEMPTION FROM FILING O.T.

Date : 16-02-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.V. VISWANATHAN

HON'BLE MR. JUSTICE MANMOHAN

For Petitioner(s) :Mr. Ram Bhadauria, Adv.
Mr. Robin Khokhar, AOR
Mr. Najim Khan Khilluka, Adv.
Ms. Ritu Reniwal, Adv.
Mr. B. N. Dubey, Adv.

For Respondent(s) :

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

1. Delay condoned.
2. In the present matter, the High Court has dismissed the appeal on the ground that the appellant has remained absconding for over eight years. The appellant has now surrendered on 19.02.2025.

3. Our attention has been drawn to the judgment of this Court in the case of Dhananjay Rai @ Guddu Rai vs The State Of Bihar reported in 2022 (14) SCC 95 which holds that the appeal ought to be heard on merits.
4. Issue notice to consider whether the matter can be remanded to the High Court to hear the appeal on merits.
5. Dasti service, in addition, is permitted.
6. Liberty is granted to the petitioner to serve notice through the Standing Counsel for the State/respondent.
7. List on 23.02.2026.

(CHANDRESH)
ASTT. REGISTRAR-cum-PS

(NIKITA SINGH)
COURT MASTER (NSH)