

IN THE SUPREME COURT OF INDIA  
CRIMINAL ORIGINAL JURISDICTION

MISCELLANEOUS APPLICATION No.1410/2026(@Diary No.2697/2026)

IN

CRIMINAL APPEAL NO.1840/2014

KHEM CHAND

Applicant(s)

VERSUS

THE STATE OF DELHI

Respondent(s)

O R D E R

1. Delay condoned.
2. This is an application at the instance of the original accused (convict) seeking recall of the order passed by this Court dated 20th February, 2025 in Criminal Appeal No.1840 of 2014.
3. The Criminal Appeal, referred to above, preferred by the applicant before us (original Appellant) came to be disposed of as under:-

*"1. This matter was called out twice. Even on the second call, none appears for the appellant.*

*2. Ordinarily, in accordance with the law laid down, we would have appointed an Amicus to appear on behalf of the appellant. However, Mr. Satya Darshi Sanjay, learned ASG for the State, points out that the appellant, who was convicted under Section 304 Part-II of the IPC and sentenced to 5 years, has already undergone the sentence and has since been released from prison.*

*3. In view of this fact, we dispose of the appeal in terms of the above statement. The appellant having already undergone the sentence perhaps has lost interest in prosecuting the appeal. However, in the event the appellant wants to revive the appeal, we leave him that liberty to move an appropriate application praying for revival of the appeal. It is made clear that we are not disturbing the conviction and sentence imposed by the High Court.*

4. *The appeal is disposed of in the above terms.*

5. *Pending application(s), if any, shall stand disposed of."*

4. Since this Court had expressly reserved the liberty to move an appropriate application praying for revival of the appeal, the applicant has preferred this application pointing out that since he was in Government service, he would like to contest the Appeal on merits as the order of conviction may come in his way insofar as his retiral benefits are concerned.

5. In such circumstances, referred to above, we recall our order dated 20th February, 2025 and restore the Criminal Appeal No.1840 of 2014 to its original file.

6. Let the Criminal Appeal No.1840 of 2014 be now notified for final hearing on 20-5-2026 to be heard on its own merits.

7. With the aforesaid, the Miscellaneous Application stands disposed of.

.....J  
(J.B. PARDIWALA)

.....J  
(K.V. VISWANATHAN)

NEW DELHI  
24TH APRIL, 2026.

ITEM NO.9

COURT NO.7

SECTION II-D

S U P R E M E C O U R T O F I N D I A  
R E C O R D O F P R O C E E D I N G S

MISCELLANEOUS APPLICATION Diary No.2697/2026 IN CrI.A.No. 1840/2014

KHEM CHAND

Petitioner(s)

VERSUS

THE STATE OF DELHI

Respondent(s)

(IA No. 16954/2026 - CONDONATION OF DELAY IN FILING MA AND IA  
No. 16953/2026 - RECALLING THE COURTS ORDER)

Date : 24-04-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA  
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s) :

Mr. ML Yadav, Adv.  
Mr. Mukesh Kumar, Adv.  
Mr. Akash, Adv.  
Mr. Ashish Pandey, AOR

For Respondent(s) :

Mr. Vikramjeet Banarjee, A.S.G.  
Mr. Mukesh Kumar Maroria, AOR  
Mr. Ketan Paul, Adv.  
Ms. Vimla Sinha, Adv.  
Mr. Ishaan Sharma, Adv.  
Mr. Abhishek Singh, Adv.  
Mr. Saransh Kumar, Adv.

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

1. The Miscellaneous Application stands disposed of, in terms of the signed order
2. We recall our Order dated 20th February, 2025 and restore the Criminal Appeal No.1840 of 2014 to its original file and notify for final hearing on 20-5-2026 to be heard on its own merits.

(VISHAL ANAND)  
DEPUTY REGISTRAR

(POOJA SHARMA)  
COURT MASTER (NSH)

(Signed Order is placed on the file)