



IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO(S). \_\_\_\_\_ OF 2026  
(@ SLP(CRL.) NO(S). 1664/2026)

SALIM

Appellant(s)

VERSUS

STATE OF UTTARAKHAND

Respondent(s)

O R D E R

Leave granted.

This criminal appeal challenges the order dated 27.11.2025 passed by the High Court of Uttarakhand at Nainital, in Second Bail Application No. 03 of 2025 in Criminal Appeal No. 423 of 2024.

The appellant Salim faced trial in connection with a crime registered pursuant to FIR 403/2015 dated 17.10.2015 lodged with P.S. Manglaur, District Haridwar in respect of the offences punishable under Sections 452, 323, 504 and 506 of the Indian Penal Code, 1860 ("IPC").

By judgment dated 04.04.2024 in ST No. 84/2016, the Additional Sessions Judge, Haridwar convicted the appellant for the offences under Sections 304, 323, 452, 504 and 506 read with Section 34 of the IPC and awarded a sentence of seven years of rigorous imprisonment along with a fine of Rs. 10,000/- for the offence under Section

304 of the IPC, a sentence of three months rigorous imprisonment and a fine of Rs. 500/- for the offence under Section 323 of the IPC, a sentence of two years rigorous imprisonment and a fine of Rs. 5000/- for the offence under Section 452 of the IPC, a sentence of one-year rigorous imprisonment and a fine of Rs. 1000/- for the offence under Section 504 of the IPC and a sentence of one-year rigorous imprisonment and a fine of Rs. 1000/- for the offence under Section 506 of the IPC.

The appellant, being aggrieved by the order of conviction passed by the trial court, filed Criminal Appeal No. 423 of 2024 before the High Court of Uttarakhand at Nainital and the same is pending. During the pendency of the said criminal appeal, the appellant filed Second Bail Application No. 03 of 2025 before the High Court seeking suspension of his sentence. The High Court, by the impugned order dated 27.11.2025, dismissed the application filed by the appellant for suspension of sentence. Hence, the present criminal appeal.

This Court, by order dated 02.02.2026, issued notice in the instant matter.

Heard learned counsel for the appellant and learned counsel for the State and perused the material on record.

Learned counsel for the appellant submitted that the Trial Court has imposed sentence of seven years and the appellant has already completed two and a half years in jail; that the appellant has a good case on merits. However, the appeal being of the year 2024 inevitably it would be delayed in the final adjudication; that three other accused have been granted relief of suspension of sentence and bail.

In the circumstances, a similar relief may be granted to the appellant herein by setting aside the impugned order subject to the terms and conditions that may be imposed.

Per contra, learned standing counsel for the respondent-State contended that the High Court was justified in declining to grant the relief of suspension of sentence and bail; that there is no merit in this appeal and hence, the same may be dismissed.

It was also submitted that if this Court requests the High Court to consider the appeal expeditiously then it is unnecessary to release the appellant on bail on suspension of sentence. He therefore submitted that the appeal may be

simply dismissed particularly having regard to the role of the appellant in the incident.

Considering the facts on record, in our view, the case for suspension of sentence is made out.

We, therefore, allow this appeal and direct as under:

“The appellant shall be produced before the concerned Trial Court as early as possible and the Trial Court shall release him on bail, subject to such conditions as it may deem appropriate to impose to ensure his presence in the concerned proceedings.”

The appellant shall appear before the High Court as and when directed to do so.

It is directed that the appellant shall extend complete cooperation in the hearing of the appeal before the High Court. The appellant shall not misuse his liberty in any manner.

Any infraction of the conditions may entail cancellation of the suspension of sentence granted to the appellant.

With these observations, the Criminal Appeal is allowed.

.....J.  
( B.V. NAGARATHNA )

.....J.  
( UJJAL BHUYAN )

NEW DELHI;  
FEBRUARY 27, 2026

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

Petition(s) for Special Leave to Appeal (Crl.) No(s). 1664/2026  
[Arising out of impugned final judgment and order dated 27-11-2025  
in SBA No. 03/2025 passed by the High Court of Uttarakhand at  
Nainital]

SALIM

Petitioner(s)

VERSUS

STATE OF UTTARAKHAND

Respondent(s)

(FOR ADMISSION and I.R.

IA No. 29410/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED  
JUDGMENT

IA No. 29411/2026 - EXEMPTION FROM FILING O.T.)

Date : 27-02-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE B.V. NAGARATHNA

HON'BLE MR. JUSTICE UJJAL BHUYAN

For Petitioner(s) Dr. Kanwal Sapra, Adv.  
Mr. Devansh Mehra, Adv.  
Mr. Tapesch Vishnoi, Adv.  
Mr. Biswanath Aggarwal, Adv.  
Ms. Kumari Rashmi Rani, Adv.  
Ms. Rashi Jaiswal, Adv.  
Mr. Jai Subhash Thakur, Adv.  
Mr. Mohd. Sakir, Adv.  
Mr. Narender Kumar, Adv.  
Dr. Suresh Bhadkariya, Adv.  
Mr. Ashish Pandey, AOR

For Respondent(s) Mr. Abhishek Atrey, AOR  
Ms. Ishita Bist, Adv.  
Ms. Ambika Atrey, Adv.  
Mr. Navneet Gupta, Adv.

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

1. Leave granted.
2. Criminal Appeal is allowed in terms of the signed order.

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

(RADHA SHARMA)

ASTT. REGISTRAR-cum-PS

(Signed Order is placed on the file)

(DIVYA BABBAR)

COURT MASTER (NSH)