

ITEM NO.38

COURT NO.7

SECTION II

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

Petition for Special Leave to Appeal (CrI.) No.2815/2026

[Arising out of impugned final judgment and order dated 25-08-2025 in CRLR No. 1669/2025 passed by the High Court of Judicature at Allahabad]

KESHVENDRA SINGH

Petitioner(s)

VERSUS

SHANKAR SINGH & ANR.

Respondent(s)

IA No. 29515/2026 - EXEMPTION FROM FILING O.T.

Date : 13-04-2026 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. Aviral Kashyap, AOR
Mr. Amit Kr. Singh, Adv.
Mr. Prabhsharan Singh Mohi, Adv.
Mr. Vikram Singh Srivastava, Adv.

For Respondent(s) : Mr. Ashish Pandey, AOR

Mr. Arup Banerjee, AOR
Mr. Kumar Rupak, Adv.
Mr. Shiv Pratap Singh, Adv.
Mr. Amitabh Poddar, Adv.
Mr. Sanjiv Sharma, Adv.
Mr. Tanishq Dev Kadam, Adv.

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

1. Our order dated 6.2.2026 reads thus:-

- " 1. Delay condoned.
2. Mr. Aviral Kashyap, learned counsel for the petitioner submits that the High Court has totally misinterpreted Section 12 of the U.P.Gangsters & Anti-Social Activities (Prevention) Act, 1986 (for short `the Gangsters Act'). The trial which is now kept in abeyance, is at the advance stage of argument page 40 of the paper book(Annexure P-3). Learned counsel submits that insofar as the case under the Gangsters Act is concerned, a chargesheet has just been filed. According to learned counsel a correct reading of Section 12 of the Gangsters Act along with the judgment of this Court in the case of `Dharmendra Kirthal vs. State of U.P. reported in (2013) 8 SCC 368(paragraph 32) (page 41 of the paper book), would show that the only purpose was to ensure that the gangsters trial is not delayed, by giving same dates.
3. Learned counsel submits that the provision was never intended to stay trial in advanced stages as that would be contrary to Article 21 of the Constitution of India. 4. Call on 16th March, 2026.
5. Liberty to serve the Standing Counsel for the State of Uttar Pradesh.
6. Issue notice to respondent no.1 through the Station House Office, Police Station Talbehat, District Lalitpur, Uttar Pradesh."

2. The operative part of the impugned order passed by the High Court reads thus:-

"17. Accordingly the impugned order dated 03.03.2025 is set-aside. The Sessions Trial No.0934 of 2023 (State of U.P. Vs. Pancham Singh and others) which is running concurrently before the Court of Sessions Judge, Lalitpur, shall be kept in abeyance and the learned Special Judge is directed to expedite the proceedings of Gangster Sessions Trial No.01 of 2024 to satisfy the intent of mandatory provisions contained in Section 12 of the Gangsters Act."

3. the directions issued by the High Court as contained in Paragraph 17, referred to above, are stayed from its operation.

4. We direct the Trial Court to proceed further with Sessions Trial No. 0934 of 2023 and dispose it of in accordance with law within a period of two months from today.

5. The disposal of Sessions Trial No. 0934 of 2023 shall be reported to this Court.

6. Registry shall communicate this order to the Court of Sessions Judge, Lalitpur, U.P. at the earliest.

7. The Sessions Judge, Lalitpur, U.P. shall furnish a report

to this Court as regards the disposal of Sessions Trial No.0934 of 2023.

8. Post this matter in the month of July, 2026.

(CHANDRESH)
ASTT. REGISTRAR-cum-PS

(POOJA SHARMA)
COURT MASTER (NSH)