

ITEM NO.37

COURT NO.16

SECTION II

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

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s). 3452/2026

[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. 29514/2026 - CONDONATION OF DELAY IN FILING, IA No. 29515/2026 - EXEMPTION FROM FILING O.T.

Date : 06-02-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.V. VISWANATHAN
HON'BLE MR. JUSTICE VIPUL M. PANCHOLI

For Petitioner(s) Mr. Aviral Kashyap, AOR
Mr. Amit Kr. Singh, Adv.
Mr. Prabhsharan Singh Mohi, Adv.
Mr. Mithilesh Kr. Pandey, Adv.
Mr. Amit Singh, Adv.
Mr. Vikram Singh Srivastava, Adv.

For Respondent(s)

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

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.

(NIRMALA NEGI)
ASTT. REGISTRAR-cum-PS

(SAPNA BANSAL)
COURT MASTER (NSH)