

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO(S). _____ OF 2026
(Arising out of SLP(Crl.) No. 3368/2026)

SHISHUPAL @ SHISHPAL

APPELLANT(S)

VERSUS

STATE OF U.P.

RESPONDENT(S)

ORDER

1. Leave granted.
2. Heard learned counsel for the parties and perused the record.
3. Under challenge in this appeal is the order dated 26.08.2025 passed by the High Court whereby bail has been refused to the appellant.
4. The High Court in one of the paragraphs notes that according to the status report only one witness has been examined and the accused has delayed the trial by moving miscellaneous applications.
5. However, from the record, we find that the accused had only sought adjournment on two occasions and had moved only one miscellaneous application whereas the matter had been adjourned at least sixty times for one reason or the other specifically for the reason that the witnesses were not produced or the Presiding Officer was on leave. The said adjournments cannot be attributed to the appellant.

6. In view of the above, we are of the opinion that the appellant was not responsible for the slow progress of the trial.

7. In view of the aforesaid facts and circumstances, we set aside the impugned order dated 26.08.2025 and remand the matter to the High Court for fresh consideration of the bail application on merits in accordance with law, most expeditiously.

8. The present appeal is allowed in the above terms.

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

.....J.
[PANKAJ MITHAL]

.....J.
[S.V.N. BHATTI]

NEW DELHI;
MAY 08, 2026.
SD

ITEM NO.7

COURT NO.9

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 (Crl.) No. 3368/2026

[Arising out of impugned final judgment and order dated 26-08-2025 in CRMB No. 53003/2023 passed by the High Court of Judicature at Allahabad]

SHISHUPAL @ SHISHPAL

Petitioner(s)

VERSUS

STATE OF U.P.

Respondent(s)

(IA No. 52329/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT; IA No. 52330/2026 - EXEMPTION FROM FILING O.T.; IA No. 52331/2026 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 08-05-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE PANKAJ MITHAL
HON'BLE MR. JUSTICE S.V.N. BHATTI

For Petitioner(s) Mr. Rajiv Nanda, Sr. Adv.
Mr. Loveleen Kaithwas, Adv.
Mr. Manish Kumar Vikkey, AOR
Mr. Nawal Kishore Jha, Adv.
Mrs. Kalpana Jha, Adv.
Mr. Siddharth Shankar Jha, Adv.

For Respondent(s) Ms. Sakshi Kakkar, AOR
Ms. Anshul Chawla, Adv.

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

1. Leave granted.
2. The present appeal is allowed in terms of the signed order which is placed on the file.
3. Pending application(s), if any, shall stand disposed of.

(SNEHA DAS)
SENIOR PERSONAL ASSISTANT

(NIDHI MATHUR)
COURT MASTER (NSH)