



ITEM NO.2

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

SPECIAL LEAVE PETITION (CRIMINAL) Diary No.11695/2026

[Arising out of impugned final judgment and order dated 25-08-2025 in IA No. 13/2025 passed by the High Court of Judicature at Allahabad, Lucknow Bench]

BADSHAH & ANR.

Petitioner(s)

VERSUS

STATE OF U.P.

Respondent(s)

IA No. 89788/2026 - CONDONATION OF DELAY IN FILING
IA No. 89789/2026 - EXEMPTION FROM FILING O.T.

Date : 02-04-2026 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. Robin Khokhar, AOR
Mr. Ram Bhadauria, Adv.

Diary No.11695/2026

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Ms. Ritu Reniwal, Adv.
Mr. B.n. Dubey, Adv.

For Respondent(s) :Mr. Shaurya Sahay, AOR
Mr. Aman Jaiswal, Adv.
Ms. Sharvi Sharma, Adv.
Mr. Ashish Singh, Adv.

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

1. Delay condoned.

2. The petitioners were put to trial along with other co-accused in Sessions Trial No.828 of 2009 arising out of Case Crime No.65 of 2009 registered with Reusa Police Station, District Sitapur for the offence punishable under Sections 147, 148, 149 and 302 of the Indian Penal Code, 1860 (for short "the IPC"), respectively.

3. At the end of the trial, the petitioners were held guilty of the alleged crime along with other co-

accused. They were sentenced to undergo life imprisonment with fine.

4. It appears that the petitioners have preferred Criminal Appeal No. 1923 of 2021 in the High Court, seeking to challenge the judgment and order of conviction passed by the Trial Court.

5. In the said appeal, the petitioners preferred an application praying that the substantive order of sentence of life imprisonment be suspended and they be released on bail pending the final disposal of their Criminal Appeal.

6. The High Court declined to suspend the substantive order of sentence of life imprisonment.

7. In such circumstances, the petitioners are here before us with the present petition.

8. We heard Mr. Ram Bhadauria, the learned counsel appearing for the petitioners, and Mr. Shaurya Sahay,

the learned counsel appearing for the State.

9. We take notice of the fact that the prosecution is of the year 2009. The petitioners have been undergoing life imprisonment past more than 7 years. The appeal is of the year 2021. The appeal may not be taken up for final hearing in near future.

10. Over and above what has been stated as aforesaid, we have also looked into the role attributed to the petitioners.

11. We do not propose to say anything further on merits, as the Criminal Appeal is pending before the High Court.

12. In the overall view of the matter, we are convinced that we should suspend the substantive order of sentence passed by the Trial Court and release the petitioners on bail.

13. In the result this petition is allowed. The

substantive order of sentence of life imprisonment passed by the Trial Court in Sessions Trial No. 828 of 2009 is suspended, and the petitioners are ordered to be released on bail subject to terms and conditions that the Trial Court may deem fit to impose.

14. With the aforesaid, the petition stands disposed of.

15. Pending application(s), if any, stands disposed of.

(CHANDRESH)
ASTT. REGISTRAR-cum-PS

(POOJA SHARMA)
COURT MASTER (NSH)