



IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. \_\_\_\_\_ OF 2026  
(@SLP(CRL.) NO.6378 OF 2026)

JITENDRA . . . . . APPELLANT  
VERSUS  
STATE OF MADHYA PRADESH . . . . . RESPONDENT

O R D E R

1. Heard.

2. Leave granted.

3. A complaint came to be lodged on 26.10.2020 alleging that complainant's brother Akhilesh had a quarrel with Ranjeet Singh, Shivraj Singh, Karan Singh, Jitendra and Shivpal. Akhilesh had informed the same to Sushila (complainant). Sushila and her husband Shyam Singh is said to have decided to resolve the issue. It is further alleged by the complainant that while she was coming from Gurasiya to Agar on a motorcycle along with her husband Shyam Singh and daughter Simran, they were intercepted and Shivraj started abusing them and complainant claims that she saw Shivraj and Jitendra with

knives in their hands while others were having sticks and they all announced that Shyam Singh should be finished and together they assaulted Shyam Singh on the head with lathis and due to the injury sustained he fell down and also the complainant claims to have been assaulted on the head with a stick and on being brought to the hospital, Shyam Singh is said to have expired due to the injuries sustained.

4. On completion of the investigation, chargesheet came to be filed for the offences punishable under Sections 302, 307, 147, 149, 148 IPC and appellant was convicted for the offences punishable under Section 302 IPC and sentenced to life imprisonment with fine of Rs.5000/-. On account of split up chargesheet, Akhilesh, Sushila and Shanta were tried separately and convicted for offences punishable under Sections 324 and 506 which arose from the same set of facts. The appellant was tried in ST No.15/2021 and preferred an appeal in CRA No. 2577 of 2025 and sought for suspension of sentence and grant of bail, which came to be rejected. Hence, this appeal.

5. Having heard learned counsels appearing for the parties, we notice from the records that appellant had already undergone imprisonment of 5 years 6 months. In fact, there was a cross

case also in which the complainant in the instant case has been convicted for the offence punishable under Section 323 IPC.

6. Taking these facts into consideration and the fact that the appeal is not likely to be heard in the near future or it would be time consuming, we are of the considered view that prayer of the appellant deserves to be granted. Yet another factor which would sway in our mind or persuade us to accept the contention of the appellant, at this stage, is the fact that the complainant, who claims to be the eye-witness, had deposed that she was not present at the spot of crime (vide paragraph 30 of the trial court judgment). These facts cumulatively persuade us to grant the relief and we make it explicitly clear that abovesaid opinion is expressed for the limited purpose of suspension of sentence and the appellate court shall not be prejudiced, in any manner whatsoever by the same, and it would be at liberty to independently assess the evidence available before it while adjudicating the appeal on its merits.

7. With these observations, appeal is allowed. Impugned order is set aside. Sentence imposed on the appellant in ST No. 15/2021 on 25.02.2025 stands suspended and ordered to be

released on bail subject to such conditions as the trial court may deem fit to impose including the condition of directing the appellant to deposit the fine amount as has been ordered by the trial court.

8. Pending application if any stands consigned to records.

.....J.  
(ARAVIND KUMAR)

.....J.  
(PRASANNA B. VARALE)

New Delhi;  
April 16, 2026.

ITEM NO.15

COURT NO.15

SECTION II-E

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. 6378/2026

[Arising out of impugned final judgment and order dated 19-01-2026 in IA No. 15261/2025 passed by the High Court of Madhya Pradesh at Indore]

JITENDRA

Petitioner(s)

VERSUS

THE STATE OF MADHYA PRADESH

Respondent(s)

FOR ADMISSION

IA No. 108993/2026 - EXEMPTION FROM FILING O.T.

Date : 16-04-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ARAVIND KUMAR  
HON'BLE MR. JUSTICE PRASANNA B. VARALE

For Petitioner(s) : Mr. N.K. Mody, Sr. Adv.  
Ms. Ishita M Puranik, Adv.  
Ms. Jigisha Agarwal, Adv.  
Ms. Aniya, Adv.  
Mr. Praveen Swarup, AOR

For Respondent(s) : Mr. Surjeet Singh, Adv.  
Mr. P N Razdan, AOR

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

1. Leave granted.
2. Appeal is allowed in terms of the Signed Order placed on the file.
3. Pending application(s), if any, shall stand disposed of.

(RASHI GUPTA)  
COURT MASTER (SH)

(AVGV RAMU)  
COURT MASTER (NSH)