

ITEM NO.20

COURT NO.14

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

Petition(s) for Special Leave to Appeal (Crl.) No. 5941/2026

[Arising out of impugned final judgment and order dated 06-02-2026 in CRMWP No. 1034/2026 passed by the High Court of Judicature at Allahabad]

BALAKRAM

Petitioner(s)

VERSUS

STATE OF UTTAR PRADESH & ORS.

Respondent(s)

FOR ADMISSION

IA No. 101093/2026 - EXEMPTION FROM FILING O.T.

Date : 06-05-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE MANOJ MISRA
HON'BLE MR. JUSTICE MANMOHAN

For Petitioner(s) :Mr. Anilendra Pandey, AOR
Mr. Tara Shankar Pandey, Adv.
Mr. Rajesh Kumar Kashyap, Adv.
Mr. Manoranjan Verma, Adv.
Ms. Aarati Sah, Adv.

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

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

1. This petition seeks leave to impugn an order of the High Court of Judicature at Allahabad, Bench at Lucknow, dated

06.02.2026, in Criminal Miscellaneous Writ Petition No.1034 of 2026, whereby the prayer of the petitioner to exhume the body of the deceased for conducting a fresh autopsy, was rejected.

2. After considering the submissions made on behalf of the petitioner, on 10.04.2026 following order was passed:

"1.A First Information Report ("FIR") was lodged by the petitioner alleging that his son Chandrashekhar *alias* Rahul had gone to irrigate paddy fields located outside the village at about 3:00 pm on 31.08.2025. When he failed to return, informant went to look for him at about 5:00 pm and found his body lying dead on the road near a field. Shortly thereafter, one Pramod, a local resident, arrived at the scene and informed the informant that he had witnessed 5 named persons along with others assaulting informant's son with sticks and clubs and they dumped the body of informant's son on the road.

2.An inquest was conducted. As per the Inquest Report, blood was found outside the right ear of the deceased and there was a cut mark or blood on chin. Blue marks were visible on right side of the chest. The body was sent for autopsy. Autopsy was conducted on 01.09.2025. Autopsy Report confirms presence of blood in the right ear as also injury on the chest. However, as per the Autopsy Report, the injury details were as under:

"Electrocution superficial burn injury present on right side upper chest, all over lower abdomen, Epigastric Region, all over pubic region, anterior aspect of all over both thigh and anterior aspect of right leg, singeing of all hairs in burn injury present, skin is blackened and elevated."

3. Based on the aforesaid examination, the autopsy surgeon opined that cause of death was due to shock as a result of Antemortem Electrocution.

4. As the aforesaid Autopsy Report appear to be at variance with the ocular account based on which the FIR was lodged, the petitioner moved an application to exhume the body for a review autopsy. On the said application, the High Court disposed of the matter by requiring the District Magistrate to consider the request and pass appropriate orders. The District Magistrate *vide* order dated 26.12.2025 rejected the prayer to exhume the body for a fresh medical report. Consequently, the petitioner invoked the writ jurisdiction of the High Court. The High Court *vide* impugned order dated 06.02.2026 dismissed the writ petition.

5. The submission on behalf of the petitioner is that the Autopsy Report does not reveal whether internal examination of the body disclosed damage to internal organs of the body as in a case of electrocution. Besides, the photograph of the deceased taken at the time of Inquest would reveal that his clothes were ripped open and the trouser was found torn.

6. The petitioner has also leveled allegations of there being extraneous pressure on the District administration and, therefore, the petitioner suspects foul play.

7. The matter requires consideration.

8. Issue notice, returnable on 15.04.2026.

9. Let notice be issued to the Chief Secretary (Home), Government of Uttar Pradesh, Lucknow through FAX, returnable within 72 hours.

10. If the body of the deceased has not been cremated, the same shall be preserved. Video

recording of the autopsy shall be preserved.”

3. Thereafter, on 15.04.2026 it was directed that the Director (AIIMS) shall constitute a Medical Board comprising experts in the field. It was provided that the Board shall view the video recording of the autopsy and submit a report in a sealed cover. It was further directed that Medical Board shall express its opinion on the following:

“(i) Whether the injuries noticed on the body of the deceased are possible by a lightening strike;

(ii) Whether any of the injuries found on the body of the deceased is such that it could not have been caused by a lightening strike. Besides above, the Medical Board shall indicate whether internal examination of the organs of the deceased disclose symptoms/signs consistent with electrocution by a lightening strike.”

4. Pursuant to the Order dated 15.04.2026, which was followed by another order of this Court dated 27.04.2026, the Department of Forensic Medicine & Toxicology, AIIMS has forwarded the Medical Board’s opinion in a sealed cover. After opening the cover, we read the report. The Medical Board has opined as follows:

“After perusal of all the submitted documents, circumstantial evidence, and postmortem videography, the AIIMS Medical Board unanimously concludes that:

- The cause of death in this case is antemortem electrocution due to a lightning strike.

- No other injuries apart from those due to electrocution from a lightning strike are appreciable in the postmortem video.”

5. In view of the above, we do not find a good reason to interfere with the impugned order, the special leave petition is dismissed. The Medical Board’s opinion shall be kept back in the sealed cover and shall be retained as part of the record of these proceedings.

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

(RASHI GUPTA)
COURT MASTER (SH)

(SAPNA BANSAL)
COURT MASTER (NSH)

(Medical Board’s opinion in the sealed cover is attached with the Record of Proceeding.)