

ITEM NO.28

COURT NO.14

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.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 : 15-04-2026 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. Animesh Shukla, 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. On 10.04.2026, after considering the submissions of learned counsel for the petitioner 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, Epigetric 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 Antemprtem 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."

2. Pursuant to the above order, a compliance affidavit has been filed on behalf of State. In paragraph 3 of the affidavit, it is stated that body of the deceased was buried underground in a pit on 02.09.2025 and was not cremated. In paragraph 4 of the affidavit, it is stated that videography of the postmortem examination conducted on 01.09.2025 by a panel of two medical experts was done and is preserved.

3. The learned counsel for the State has also produced Medico Legal Literature to canvass that in cases of electrocution clothes worn may get tattered.

4. Be that as it may, at this stage, we do not wish to express any opinion whether it is a case of homicide or electrocution by lightening. However, we deem it appropriate to require the State to produce the video recording of the autopsy examination before the Director of All India Institute of Medical Sciences (AIIMS), New Delhi on 17.04.2026.

5. The Director (AIIMS) shall constitute a Medical Board comprising experts in the field. The Medical Board shall

view the video recording and submit its report in a sealed cover on or before 27.04.2026.

6. The Medical Board shall disclose its opinion on the following aspects:

(i) Whether the injuries noticed on the body of the deceased are possible by a lightning 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 lightning strike. Besides above, the Medical Board shall indicate whether internal examination of the organs of the deceased disclose symptoms/signs consistent with the electrocution by a lightning strike.

7. List the matter on 27.04.2026.

(KAVITA PAHUJA)
ASTT. REGISTRAR-cum-PS

(SAPNA BANSAL)
COURT MASTER (NSH)