

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

SPECIAL LEAVE PETITION (CRIMINAL)..... Diary No(s).16320/2026

[Arising out of impugned final judgment and order dated 15-05-2025 in CRA No.972/2017 passed by the High Court of Madhya Pradesh at Indore]

KAMRAN

Petitioner(s)

VERSUS

STATE OF MADHYA PRADESH

Respondent(s)

IA No. 93954/2026 - CONDONATION OF DELAY IN FILING, IA No.93955/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

Date : 21-05-2026 This matter was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE  
HON'BLE MR. JUSTICE JOYMALYA BAGCHI  
HON'BLE MR. JUSTICE VIPUL M. PANCHOLI

For Petitioner(s) :Mr. Trideep Pais, Sr. Adv.  
Mr. Harsh Jain, AOR  
Ms. Sanya Kumar, Adv.  
Mr. Chiranjeev Singh Marwaha, Adv.  
Ms. Sakshi Jain, Adv.  
Ms. Saloni A., Adv.  
Ms. S. Abhinaya, Adv.

For Respondent(s) :Mr. B.P. Singh, Deputy AG  
Mr. Surjeet Singh, Govt. Adv.  
Mr. P.N. Razdan, AOR  
Mr. Pritam B., Adv.

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

1. Delay condoned.
2. While entertaining the challenge to the constitutionality of Section 124A, as it contained in the Indian Penal Code (IPC) (now repealed and substituted by Bharatiya Nyaya Sanhita), this Court, in Writ Petition(C) No.682/2021, passed the following interim order on 11.05.2022:

"8.d. All pending trials, appeals and proceedings with

respect to the charge framed under Section 124A of IPC be kept in abeyance. Adjudication with respect to other Sections, if any, could proceed if the Courts are of the opinion that no prejudice would be caused to the accused."

3. Since the above-stated interim order is still operative, all trials, appeals, or other proceedings, wherein one of the charges framed is under Section 124A of IPC, shall remain stalled.

4. The petitioner was convicted by the Sessions Court vide judgment dated 27.02.2017 under Section 122, 124A, 153A of IPC read with Section 10B(ii), 13(1)(a)(b), 13(2) of the Unlawful Activities (Prevention) Act, 1967 and Section 25(1-B)(a) of the Arms Act, 1959, and he along with his co-accused persons has been sentenced to undergo life imprisonment.

5. The aggrieved petitioner has filed Criminal Appeal No.972/2017, which is pending before a Division Bench of the Madhya Pradesh High Court (Indore Bench).

6. The High Court appears to be reluctant in finally deciding the Petitioner's Criminal Appeal as one of the charges for which he has been convicted is under Section 124A of the IPC.

7. The petitioner's grievance is that he has no objection if his criminal appeal is heard in entirety, including with respect to the charge under Section 124A of the IPC.

8. That being so, we clarify paragraph 8.d of our order dated 11.05.2022 to the effect that wherever the accused has no objection against proceeding of the trial, appeal, or any other proceeding, where such accused has been charged under, *inter alia*, Section 124A of IPC, there shall be no impediment for the Courts to decide such

matters on merits and in accordance with law.

9. With the clarification aforesaid, we request the High Court of MP (Indore Bench) to take up Criminal Appeal No.972/2017 along with all other connected appeals and decide the same on merits.

10. It is clarified that we have not expressed any opinion on merits.

11. The Special Leave Petition is, accordingly, disposed of.

12. All pending applications, if any, also stand disposed of.

(ARJUN BISHT)  
ASTT. REGISTRAR-cum-PS

(PREETHI DILEEP KUMAR)  
ASSISTANT REGISTRAR