



**IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPEAL No.2413/2026
[Arising out of SLP (Crl.) No.7289/2026]**

SANDEEP TEWARI

APPELLANT

VERSUS

**STATE OF UTTAR PRADESH
& ANR.**

RESPONDENTS

ORDER

1. Leave granted.
2. A learned Judge of the High Court of Judicature at Allahabad, by the impugned order dated 10th October, 2025, released the application for bail¹ of the appellant and directed its listing before another Bench.
3. Appellant, figuring as an accused in FIR No.0322 of 2021 dated 21st September, 2021

1 Criminal Misc. Bail Appln. No.42337/2024

Crl. Appeal @ SLP (Crl.) No.7289/2026

registered at Police Station George Town, District Prayagraj, Uttar Pradesh under Section 306 of the Indian Penal Code, 1860, was arrested on 23rd September, 2021.

4. It is the claim of the appellant that his bail application has been listed on more than thirty occasions during the last two years but for some reason or the other, including the reason that the application could not be heard on sixteen occasions because of paucity of time, hearing stood adjourned with the result that there has been no final decision on such application despite considerable lapse of time.

5. We have heard learned counsel appearing for the appellant, learned counsel for the respondent no.1 (State of Uttar Pradesh), learned counsel for the respondent no.2 (Central Bureau of Investigation) as well as the learned counsel appearing for the complainant.

6. The aforesaid claim of the appellant has not

been seriously disputed by the respondents although it does appear that on certain occasions adjournments were granted by the High Court because learned counsel for the appellant had so prayed.

7. Be that as it may, having regard to the period of pre-trial incarceration suffered by the appellant, it is indeed a matter of concern that the bail application despite being listed on more than thirty occasions during the last two years has not been considered on merits and finally disposed of.

8. We have noted that charge-sheet under Section 173(2) of the Code of Criminal Procedure, 1973 has been filed accusing the appellant and the co-accused of offences punishable under Sections 306 and 120-B of the Indian Penal Code, 1860.

9. While the prosecution proposes to examine 150 witnesses to drive home the charges against

the appellant, evidence of only 3 witnesses has been recorded till date.

10. It is in view of such circumstances that we propose to interfere, despite the fact of pendency of the application for bail before the High Court.

11. Taking an overall view of the matter, we are of the considered opinion that further detention of the appellant pending trial is not necessary; and, since the appeal deserves acceptance, the appellant may be admitted to an order for grant of bail.

12. Accordingly, we direct that the appellant shall be released on bail, subject to furnishing of bail bonds to the satisfaction of the trial court and subject to such other terms and conditions as may be imposed by it.

13. Needless to observe, the appellant shall not, directly or indirectly, by making inducement, threat or promise, dissuade any person

acquainted with the facts of the case from disclosing such facts to the court.

14. In the event there is any breach of the terms and conditions for grant of bail, the trial court shall be at liberty to cancel the bail of the appellant.

15. It is also ordered that the appellant shall diligently attend proceedings of the trial, unless exempted. If he abstains from attending the proceedings without justifiable cause, that could also be seen as breach of the conditions for grant of bail and the trial court will be free to pass appropriate orders.

16. We clarify that the observations made in this order and grant of bail will not be treated as findings on the merits of the case.

17. The appeal is, accordingly, allowed on the aforesaid terms.

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

19. In view of this order, Criminal Misc. Bail Appln. No.42337/2024 before the High Court also stands disposed of.

.....J.
(DIPANKAR DATTA)

.....J.
(SATISH CHANDRA SHARMA)

**New Delhi;
May 07, 2026.**

ITEM NO.30

COURT NO.8

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.7289/2026

[Arising out of impugned final judgment and order
dated 10-10-2025 in CRMA No. 42337/2024 passed by
the High Court of Judicature at Allahabad]

SANDEEP TEWARI

Petitioner

VERSUS

STATE OF UTTAR PRADESH & ANR.

Respondents

I.A. No.103778/2026-EXEMPTION FROM FILING C/C OF
THE IMPUGNED JUDGMENT

I.A. No.103781/2026-EXEMPTION FROM FILING O.T.

Date : 07-05-2026 This matter was called on for
hearing today.

CORAM : HON'BLE MR. JUSTICE DIPANKAR DATTA
HON'BLE MR. JUSTICE SATISH CHANDRA SHARMA

For Petitioner(s) :Dr. Sunil Kumar Agarwal, AOR
Mr. Man Singh Chauhan, Adv.
Mr. K. Jayakaran, Adv.
Mrs. Amita Agarwal, Adv.
Mrs. Mamta Singh, Adv.
Ms. Shweta Bhardwaj, Adv.
Ms. Shreya Saurabh, Adv.
Mr. Sachin Kumar Srivastava, Adv.
Mr. Amarjeet Sahani, Adv.
Dr. Dere Kishor Shankar, Adv.

For Respondent(s) :Mr. Adarsh Upadhyay, AOR
Ms. Pallavi Kumari, Adv.

Mr. Shashank Pachauri, Adv.

**Mr. Mohan Prasad Gupta, Adv.
Mr. Mukesh Kumar Maroria, AOR**

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

1. Leave granted.
2. The appeal is allowed in terms of the signed order.
3. Pending application(s), if any, shall stand disposed of.

**(RASHMI DHYANI PANT) (SUDHIR KUMAR SHARMA)
ASST. REGISTRAR-CUM-PS COURT MASTER (NSH)
(signed order is placed on the file)**