

ITEM NO.1

COURT NO.13

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(s).2238/2025

[Arising out of impugned final judgment and order dated 21-11-2024 in CRLA No.11108/2024 passed by the High Court of Judicature at Allahabad]

PRATAP SINGH

Petitioner(s)

VERSUS

STATE OF UTTAR PRADESH &amp; ORS.

Respondent(s)

(IA No. 29123/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 29120/2025 - EXEMPTION FROM FILING O.T.)

Date : 10-12-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH

HON'BLE MR. JUSTICE K. VINOD CHANDRAN

For Petitioner(s) Mr. Dhananjai Jain, AOR  
Mr. Anurag Mishra, Adv.  
Mr. Bhoop Singh, Adv.  
Mrs. Omita Unnankar, Adv.  
Mr. Abhinav Bansal, Adv.

For Respondent(s) Ms. Rajdip Behura, Sr. Adv.  
Dr. Vijendra Singh, AOR  
Ms. Sthavi Asthana, Adv.

Mr. Sanjay Hegde, Sr. Adv.  
Mr. Pankaj Singhal, Adv.  
Ms. Ashima Gupta, Adv.  
Mr. Anant Singh Tomar, Adv.  
Mr. Ankit Tiwari, Adv.  
Mr. Monu Kumar, Adv.  
Mr. Ayush Anand, AOR

**O R D E R**

The present petition has been filed seeking cancellation of bail granted to respondent no.2 by the High Court vide the impugned order dated 21.11.2024 after about 39 months of his incarceration.

2. On a query of the Court with regard to the stage of the trial, learned senior counsel for respondent no.1-State submits that the chargesheet was submitted in the month of November, 2022 and cognizance has been taken in the month of August, 2023 but still, charges have not been framed. On a query of the Court as to the reason thereof, it was submitted that when respondent no.2 was under custody, he was lodged in a Jail in Haridwar, Uttarakhand and despite request being sent by the Court in the present case, he was not produced before the Court.

3. Learned senior counsel for respondent no.2 submitted that respondent no.2 has appeared before the Court on three dates fixed after his release. It was further submitted that as all the accused have not been able to be present before the Court on a particular day, the charges are not framed.

4. We are surprised on such stand taken by learned senior counsel for the respondent no.1-State.

5. It is well within the means of the Court to ensure that the requirement of law is fulfilled, but withholding of framing of charges for such a long time, is absolutely unacceptable as it reflects as if the Court is helpless in the matter. Moreover, we find that there is apparent slackness on the part of the prosecution to assist the Court for ensuring that charges are

framed.

6. Before taking a final view in the matter, let a report be called from the Additional District and Sessions Judge-II/Special Judge, SC/ST Act, Gautam Budh Nagar in Case Crime No.280 of 2022 as to why, even the charges have not been framed till date.

7. List on 03.02.2026.

8. If any of the accused, who are on bail, do not appear before the concerned Court on the date fixed for framing of charges, the Court would be at liberty to proceed with cancellation of their bail, in accordance with law.

(SAPNA BISHT)  
COURT MASTER (SH)

(ANJALI PANWAR)  
ASSISTANT REGISTRAR