



ITEM NO.21

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 (CrI.) No(s). 4108/2020

(Arising out of impugned final judgment and order dated 21-11-2019 in CRLA No. 5494/2004 passed by the High Court of Judicature at Allahabad)

BALWANT SINGH

Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH

Respondent(s)

(IA No. 85257/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT IA No. 26107/2022 - EXEMPTION FROM FILING O.T. IA No.85256/2020 - EXEMPTION FROM FILING O.T. IA No. 37282/2022 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES IA No.26105/2022 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

WITH

SLP(CrI) No. 1859/2022 (II)
(FOR ADMISSION and I.R. and IA No.143638/2021-CONDONATION OF DELAY IN FILING)

SLP(CrI) No. 2576-2577/2022 (II)
(FOR EXEMPTION FROM FILING O.T. ON IA 29508/2022 FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 29510/2022 FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 37298/2022)

Date : 06-04-2022 These matters were called on for hearing today.

CORAM : HON'BLE MS. JUSTICE INDIRA BANERJEE
HON'BLE MR. JUSTICE A.S. BOPANNA

For Petitioner(s) Mr. R. Balasubramanian, Sr. Adv.
Mr. Rajan K. Chourasia, AOR
Ms. Ankita Sharma, Adv.
Mr. Santosh Kumar Pandey, Adv.
Mr. Rajiv Ranjan, Adv.

Mr. Vishwajit Singh, Sr. Adv.
Ms. Veera Kaul Singh, Adv.
Mr. Pankaj Singh, Adv.



Ms. Ridhima Singh, Adv.
Ms. Rashi Bajpai, Adv.
Ms. Vibha Bhat, Adv.
Mr. Vignesh Singh, Adv.
For M/S. Vidhi International, AOR

Ms. Veera Kaul Singh, AOR

For Respondent(s) Mr. Siddhartha Dave, Sr. Adv.
Mrs. Pragya Baghel, AOR
Mr. Aditya Vaibhav Singh, Adv.
Ms. Saumya Gupta, Adv.
Ms. Vidhi Thaker, Adv.
Ms. Arushi Singh, Adv.

Mr. Vinod Diwakar, AAG
Ms. Alka Singh, Adv.
Mr. Anuvrat Sharma, Adv.

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

S.L.P.(CRL.) NO. 4108/2020

The petitioner is presently in custody in Central Jail, Varanasi, Uttar Pradesh. A detention certificate issued by the Senior Superintendent, Central Varanasi is enclosed.

The petitioner has suffered imprisonment from 04.09.1998 to 15.04.1999 as an under-trial prisoner and again from 28.08.2004 till date as a convict.

The hearing of the matter is likely to take time.

Considering that the petitioner has been in jail for about 17 years, we deem it appropriate to direct that the petitioner be released on bail on such terms and conditions as may be imposed by the Trial Court.



It is, however, made clear that the petitioner shall not enter vicinity of District Deoria, Uttar Pradesh, where the complainant resides.

S.L.P.(CRL.) NO. 1859/2022

As per the custody certificate dated 05.01.2021 issued by the Senior Superintendent, Central Jail, Varanasi, Uttar Pradesh, the petitioner has been in custody from 08.10.1998 to 21.07.1999 as an under-trial and from 27.08.2004 till 27.08.2004 and again from 28.08.2004 till 05.01.2021. For a while, the petitioner was in the District Jail at Mau. It is submitted that as per the latest custody certificate which is dated 08.03.2022, the petitioner has suffered imprisonment for a period of 21 years, 08 months and 26 days as on that day.

The hearing of the matter is likely to take time.

Considering that the petitioner has been in jail for about 22 years, we deem it appropriate to direct that the petitioner be released on interim bail on such terms and conditions as may be imposed by the Trial Court.

It is, however, made clear that the petitioner shall not enter Deoria District, Uttar Pradesh, where the complainant usually resides.

S.L.P.(CRL.) NOS. 2576-2577/2022

As per the custody certificate dated 10.01.2021 issued by the



Senior Superintendent, Central Jail, Varanasi, Uttar Pradesh,
Petitioner No. 1 has suffered imprisonment from 21.08.1998 to
22.05.1999 as an under-trial prisoner and as a convict from
28.08.2004 to 15.07.2005 and again from 15.11.2006 to 08.01.2022.

As per the custody certificate dated 03.10.2021 issued by the
Senior Superintendent, Central Jail, Varanasi, Uttar Pradesh,
Petitioner No. 2 has been in custody for a period of about 17
years, ten months and one day.

Considering that the petitioners have been in jail for more a
period of about 17 years, we deem it appropriate to direct that the
Petitioners be released on bail on such terms and conditions as may
be imposed by the Trial Court.

It is, however, made clear that the petitioner shall not enter
Deoria District, Uttar Pradesh, where the complainant usually
resides.

(GULSHAN KUMAR ARORA)
AR-CUM-PS

(MATHEW ABRAHAM)
COURT MASTER (NSH)