



S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CRIMINAL APPEAL NO(S).37/2022

THE STATE OF UTTAR PRADESH

APPELLANT(S)

VERSUS

JAI DUTT & ANR.

RESPONDENT(S)

Date : 19-08-2025 This appeal was called on for hearing today.

CORAM : HON'BLE MRS. JUSTICE B.V. NAGARATHNA
HON'BLE MR. JUSTICE R. MAHADEVAN

For Appellant(s) : Mr. Rana Mukherjee, Sr. Adv.
Mr. Ankit Goel, AOR
Mr. Abhi Garg, Adv.

For Respondent(s) : M/S. Equity Lex Associates, AOR

Mr. Sanjee Kumar Dubey, Sr. Adv.
Mr. Shah Rukh Khan, Adv.
Mr. Raghunaha Sethupathy, AOR

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

Learned senior counsel appearing for the appellant-State has brought to our notice the order passed in Review Petition (Criminal) Diary No.30499 of 2024 arising in CrI.A.No.37 of 2022 (Jai Dutt vs. The State of Uttar Pradesh and another). He submitted that in the said Review Petition oral hearing has been allowed to be taken up along with the appeal in which the co-accused-Shashtri is a respondent.

Hence, Registry to tag this appeal with Review Petition (Criminal) Diary No.30499 of 2024.

Learned senior counsel appearing for Shashtri respondent No.2/accused in CrI.A.No.37 of 2022 submitted that the judgment passed by this Court dated 19.1.2022 has been recalled inasmuch as the Miscellaneous Application (Diary) No.12365 of 2025 filed by the said accused was allowed *vide* order dated 06.08.2025. Consequently, the judgment of this Court restoring the judgment and order of the trial court in the appeal filed by the State stands recalled as against the said Accused-Shashtri. However, having regard to the judgment and sentence imposed by the High Court, the said accused had completed his sentence inasmuch as the High Court had imposed sentence of only two years imprisonment, which he has completed but has continued his incarceration in jail owing to the legal proceedings pending before this Court and due to lapse of time. Now that the judgment as against the accused-Shashtri has been recalled by this Court and the said accused has completed his sentence, as imposed by the High Court, the said accused may be released from jail.

Learned senior counsel appearing for the appellant-State submitted that since the appeal is now restored on the file of this Court and there is a likelihood of the said accused facing conviction as well as a sentence being imposed on him, it may not be just and proper to release him at present.

However, we find that the sentence imposed by the High Court has been completed by the said respondent-accused Shashtri; secondly, the judgment and sentence of imprisonment imposed by this Court on him *vide* order dated 19.01.2022 has been recalled; and the appeal filed by the appellant-State is yet to be heard.

In the circumstances, we find that the said accused-Shashtri ought to be released on interim bail pending disposal of Criminal Appeal NO.37 of 2022. The said accused-Shashtri shall be produced before the concerned Sessions Court as early as possible and subject to the terms and conditions to be imposed by the concerned Sessions Court, he shall be released on interim bail, which is subject to the result of the appeal filed by the appellant-State.

Registry to secure original records and transmit the digital version of the same to learned counsel for the respective parties.

(B. LAKSHMI MANIKYA VALLI)
COURT MASTER (SH)

(DIVYA BABBAR)
COURT MASTER (NSH)