



CrI.A. No. 4800/2024 etc.

ITEM NO.102

COURT NO.12

SECTION II-C

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. 4800/2024

SURYAKANT

Appellant(s)

VERSUS

STATE OF CHHATTISGARH

Respondent(s)

WITH

CrI.A. No. 4805/2024 (II-C)

(IA No. 295380/2025 - SUSPENSION OF SENTENCE)

**Date : 18-03-2026 This matter was called on for
hearing today.**

CORAM :

HON'BLE MR. JUSTICE SANJAY KUMAR

HON'BLE MR. JUSTICE K. VINOD CHANDRAN

For Appellant(s) :

Mr. Avi Singh, Sr. Adv.

Mr. Jinendra Jain, AOR

Mr. Krishna Sharma, Adv.

Ms. Nalinaksha Singh, Adv.

Ms. Mizba Dhebar, Adv.

Mr. M.N. Mishra, Adv.

Ms. Bijay Lakshmi, Adv.

Mr. Manoj Gautam, Adv.

Ms. Kashish Gupta, Adv.

Mr. Abhay Singh, AOR

For Respondent(s) :

Mr. Prashant Singh, AOR

Mr. S.D. Sanjay, A.S.G.

Mr. Mukesh Kumar Maroria, AOR
Ms. Shreya Jain, Adv.
Mr. Madhav Sinhal, Adv.
Mr. Jagdish Chandra, Adv.
Ms. Chitrangda Rastravara, Adv.
Mr. Abhinav Mishra, Adv.
Mr. Khushal Kolwar, Adv.
Mr. Shubham Prakash Mishra, Adv.
Ms. Nikita Shethi, Adv.
Ms. Parthvi Ahuja, Adv.

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

I.A. No. 295380/2025 in Crl.A. No. 4805/2024

The applicant, Yahya Dhebar, was arrayed as Accused No. 3 in Chargesheet No. 2/2005 dated 22.07.2005. He was convicted by the learned Special Judge, Special Court, Atrocities, Raipur, District Raipur, Chhattisgarh, *vide* judgment dated 31.05.2007 passed in Sessions Trial No. 329/2005, for offences under Sections 302 and 120B of the Indian Penal Code, 1860, and sentenced to life imprisonment coupled with sentences in default.

His appeal in Criminal Appeal No. 432/2007 before the High Court was dismissed on 04.04.2024. His appeal and other connected appeals are pending

consideration before us as on date.

The applicant, Yahya Dhebar, has been in prison since 30.04.2024. By way of this application, he seeks suspension of the sentence imposed upon him and grant of bail pending the disposal of his appeal.

We are now informed that a 3-Judge Bench of this Court passed judgment dated 06.11.2025 in Criminal Appeal No. 1927/2014 and batch whereby, in relation to the very same offence, the appeal of the Central Bureau of Investigation¹ has been allowed. Consequently, the application of the CBI for grant of leave to appeal against the acquittal of one of the accused in this offence was directed to be considered by the High Court on its own merits.

We are also informed that the revisions filed by Satish Jaggi, the *de facto* complainant, are also pending consideration before the High Court, viz., Criminal Revision Nos. 434/2007 and 232/2008.

Given this situation and in the light of the judgment passed by the 3-Judge Bench, it would not be

1 "CBI", for short

appropriate for this Bench to hear the appeals filed by the convicted appellants at this stage. The appeals would necessarily have to await the decision of the High Court in the aforesaid pending cases, as consideration of the evidence adduced against the convicted appellants in these appeals by this Court will invariably impact the pending cases before the High Court.

In such a situation, we do not think it would be proper that the applicant, Yahya Dhebar, should continue to remain in prison, when other similarly situated co-convicts have been granted the relief of suspension of sentence and consequential bail.

The sentence of imprisonment imposed upon the applicant, Yahya Dhebar, that stood confirmed by the High Court, shall stand suspended on payment of the fine amounts. The applicant shall be released on bail on such appropriate terms and conditions as may be fixed by the trial Court.

I.A. No. 295380/2025 is disposed of accordingly.

Criminal Appeal Nos. 4800/2024 and 4805/2024

In the light of the aforestated observations, these appeals shall stand adjourned *sine die*.

Learned counsel for the parties may make a mention for re-listing of these appeals after the disposal of the matters pending before the High Court.

Lastly, as the hearing and disposal of these appeals hinges upon the disposal of the pending matters before the High Court, we would request the High Court to expedite the hearing of those pending matters to the extent possible.

(DEEPAK GUGLANI)
AR-cum-PS

(PREETI SAXENA)
COURT MASTER (NSH)