

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

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s). 56829/2025

MOHAN & ORS.

Petitioner(s)

VERSUS

STATE OF UTTAR PRADESH

Respondent(s)

FOR ADMISSION and I.R.

IA No. 256453/2025 - EXEMPTION FROM FILING O.T.

IA No. 256452/2025 - EXEMPTION FROM SURRENDERING WITHIN TIME

Date : 17-10-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ATUL S. CHANDURKAR
[IN CHAMBER]For Petitioner(s) : Mr. Siddhartha Dave, Sr. Adv.
Mr. Farrukh Rasheed, AOR
Ms. Arundati Mukherji, Adv.

For Respondent(s) :

UPON hearing the counsel the Court made the following
O R D E RI.A. No. 256452/2025

1. Heard the learned Senior Advocate for the petitioners on the prayer seeking exemption from surrendering.
2. It is true that the Trial Court has convicted the petitioners and has sentenced them to life imprisonment under Section 302, read with Sections 149 and 34 of the Indian Penal Code, 1860, which conviction has been maintained by the High Court.
3. It is, however, pointed out that petitioner no. 2 is aged about 97 years while petitioner no. 4 is aged about 80 years. It is further submitted that the appeal before the High Court was pending

for about 42 years. It is therefore prayed that petitioner nos. 2 and 4 be exempted from surrendering.

4. Perused the documents placed on record especially those pertaining to petitioner nos. 2 and 4. Considering their advanced age which is 97 years and 80 years respectively, coupled with the fact that the proceedings were pending before the High Court for almost 42 years, I am inclined to consider the application favourably only in so far as petitioner nos. 2 and 4 are concerned.

5. Accordingly, Petitioner nos. 2 and 4 are exempted from surrendering till the first date of listing of the proceedings before the Court.

6. In so far as petitioner nos. 1, 3, 5 and 6 are concerned, they are granted four weeks' time to surrender.

7. The Interim Application stands disposed of.

(LOKESH ARORA)
SENIOR PERSONAL ASSISTANT

(VEENA RANI NAGPAL)
COURT MASTER (NSH)