



ITEM NO.4

COURT NO. 3

SECTION-II

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). 3049/2026

MUNNA

Appellant(s)

VERSUS

STATE OF U.P.

Respondent(s)

[ONLY IA NO. 196974/2026 IN SLP (CRL) NO.
12583/2026 IS LISTED]

WITH

SLP(Crl) No. 12583/2026 (II)

(IA No. 196974/2026 - GRANT OF BAIL)

Date : 24-07-2026 This appeal was called on for
hearing today.

CORAM : HON'BLE MR. JUSTICE M.M. SUNDRESH
HON'BLE MR. JUSTICE PRASANNA B. VARALE

For Appellant(s) : Mr. Rishi Malhotra, Sr. Adv.
Ms. Ansuiya, Adv.
Mr. Shivaansh Maini, Adv.
Mr. Prem Malhotra, AOR

For Respondent(s) : Dr. Vijendra Singh, AOR
Mr. Aniket Tiwari, Adv.
Ms. Apurva Singh, Adv.
Mr. Ghanshyam Singh, Adv.

Mr. Mohd. Fuzail Khan, AOR
Ms. Shisba Chawla, Adv.
Mr. Amit Chaudhary, Adv.

Mr. Anisul Haque, Adv.
Mr. Sunil Kumar Mishra, Adv.

Upon hearing the counsel, the Court made the
following
O R D E R

Special Leave Petition (Crl) No. 12583 of 2026

1. Leave granted.
2. We have heard the learned Senior Counsel appearing for the appellant and the learned counsel appearing for the respondent.
3. The appellant was charged for the offences punishable under Sections 147, 148, 149, 302 and 307 of the Indian Penal Code, 1860 arising out of Case Crime No.131 of 2003 registered at Police Station Kotwali, District Meerut, Uttar Pradesh. Upon conviction, the appellants were sentenced to the death penalty by the trial court. A reference and an

appeal preferred by the appellant were made to the High Court of Judicature at Allahabad vide Criminal Reference No. 21 of 2007, whereby the High Court, while dismissing the criminal reference, partly allowed the appeal of the appellant and commuted the death sentence to life imprisonment.

4. On 16.04.2026, the following order was passed in a connected matter being S.L.P. (Crl.) No. 6745 of 2026:

"The issue for consideration in the present petition is as to whether the High Court has the jurisdiction to sentence the petitioner to imprisonment for life while fixing a condition that remission could be sought only after completion of 20 years of sentence.

Learned Senior counsel appearing for the petitioner placed reliance upon the judgment of this Court in Sukhdev Yadav @ Pehalwan v. State of (NCT of Delhi) & Ors. - Criminal Appeal No.3271/2025 dated

29th July, 2025.

Learned counsel appearing for the State submits that in any case, the petitioner having completed 21 years of incarceration, his case for remission is under consideration, and therefore, a period of four weeks may be granted, after which the present issue may be considered.

Considering the above, particularly, the fact that the petitioner has already completed 21 years of imprisonment, we direct the respondent to release the petitioner forthwith, until and unless he is required in any other case, on such terms and conditions as may be imposed by the concerned Trial Court.

Ordered accordingly.

List the matter on 28.05.2026."

5. In view of the above and taking into consideration the fact that the appellant has undergone incarceration for a period of 22 years, and the fact that the co-accused have also been released, the appellant is directed to be released

forthwith until and unless he is required in any other case, on such terms and conditions as may be imposed by the concerned Trial Court.

6. Accordingly, the Interlocutory Application No. 196974 of 2026 stands allowed.

7. List the Criminal Appeal in due/usual course.

(SHUBHAM SONI)
COURT MASTER (SH)

(POONAM VAID)
ASSISTANT REGISTRAR