

ITEM NO.301

COURT NO.2

SECTION II-E

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

Petition(s) for Special Leave to Appeal (Crl.) No(s).4126-4127/2026

[Arising out of impugned final judgment and order dated 22-01-2026 in CRA No. 3732/2025 22-01-2026 in CRLRC No. 2/2025 passed by the High Court of Madhya Pradesh Principal Seat at Jabalpur]

ATUL NIHALE

Petitioner(s)

VERSUS

STATE OF MADHYA PRADESH

Respondent(s)

IA No. 70989/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT AND IA No. 70988/2026 - EXEMPTION FROM FILING O.T.

Date : 10-03-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE VIKRAM NATH
HON'BLE MR. JUSTICE SANDEEP MEHTA
HON'BLE MR. JUSTICE N.V. ANJARIA

For Petitioner(s) :Mr. Rishad Ahmed Chowdhury, AOR
Ms. Nadia Shalin, Adv.
Ms. Ahona Chatterjee, Adv.
Ms. Sohini Sanyal, Adv.

For Respondent(s) : Mr. Rajan Kumar Chourasia, Adv.
Ms. Mrinal Gopal Elker, AOR

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

1. Leave granted.
2. These proceedings arise from the judgment and order dated 22.01.2026 of the High Court of Madhya Pradesh, Principal Seat at Jabalpur in Criminal Appeal No.3732 of 2025 and Criminal Reference Capital No.2 of 2025.
3. The execution of the death sentence shall remain stayed pending the hearing and final disposal of the

present appeals.

4. The original record of the case be summoned from the Trial Court and the High Court. A copy of the translated record shall be supplied to the counsel for the parties.

5. In view of the orders passed by this Court in matters involving capital punishment, we issue the following directions:

- a. The respondent-State shall place before this Court the report(s) of all the Probation Officers relating to the appellant within a period of twelve (12) weeks.
- b. The Superintendent of Jail, Central Jail, Bhopal, Madhya Pradesh shall submit a report with regard to the nature of work which has been performed by the appellant while in jail and a report with regard to the conduct and behaviour of the appellant while in jail within a period of twelve (12) weeks.
- c. The Head of the Bhopal Memorial Hospital & Research Centre (BMHRC) shall constitute a suitable team for the purpose of carrying out a psychological evaluation of the appellant. The report of the evaluation shall be submitted to this Court through the Standing Counsel for the State of Madhya Pradesh

within a period of twelve (12) weeks.

- d. Ms. Devika Rawat, who is associated with the Square Circle Clinic, NALSAR University of Law, is permitted to have access to the appellant, who is presently lodged in Central Jail, Bhopal, Madhya Pradesh, to conduct multiple in-person interviews for the purpose of collecting information relevant to sentencing and to submit a Mitigation Investigation Report on behalf of the appellant through the appellant's Advocate-on-Record within sixteen (16) weeks.
- e. The Superintendent, Central Jail, Bhopal, Madhya Pradesh shall ensure that, for the sake of confidentiality, these interviews shall be conducted in a separate interviewing space without any prison official or police staff being within earshot distance, and audio recorders be permitted to be used to record the interviews.
- f. A person nominated by Ms. Devika Rawat is permitted to accompany her to translate during the interview.
- g. Ms. Devika Rawat is granted permission to obtain documents pertaining to the appellant, including but not limited to medical records,

jail conduct, certificates of any educational, vocational or employment opportunities undertaken, etc. that the appellant may wish to submit for the purpose of sentencing information.

6. The Registry is directed to transmit a copy of this order to the Standing Counsel for the State of Madhya Pradesh, who shall, in turn, ensure that the order is communicated to the relevant authorities for compliance. The Registry shall, in addition, send a due intimation to all the concerned authorities immediately for compliance.

7. All the reports shall be duly compiled and placed before this Court on the next date of hearing.

8. Learned counsel for the parties to assist the Registry in pagination of the record.

9. List the matter after sixteen (16) weeks.

(NEETU KHAJURIA)
ASSISTANT REGISTRAR-CUM-PS

(RANJANA SHAILEY)
ASSISTANT REGISTRAR