



ITEM NO.95

COURT NO.5

SECTION II

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). 10460/2026

[Arising out of impugned final judgment and order
dated 05-09-2008 in CRA No. 5169/2007 passed by
the High Court of Judicature at Allahabad]

MOINUDDIN

Petitioner(s)

VERSUS

STATE OF U.P.

Respondent(s)

[TO BE TAKEN UP ALONG WITH ITEM NO. 61 I.E.
SLP(Crl) No. 6745/2026]

WITH

SLP(Crl) No. 6024/2026 (II-D)

SLP(Crl) No. 5570/2026 (II-D)

Date : 27-05-2026 These petitions were called on
for hearing today.

CORAM :

HON'BLE MR. JUSTICE M.M. SUNDRESH

HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH

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

Mr. Piyush Singh, Adv.
Mr. Akshay Srivastava, AOR
Mr. Suryansh Vashisth, Adv.
Ms. Avani Sharma, Adv.

For Respondent(s) Dr. Vijendra Singh, AOR
Mr. Aniket Tiwari, Adv.

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

SLP [CRL.] NO.10460/2026

Leave granted.

We have heard the learned Senior Counsel appearing for the appellant and the learned counsel appearing for the respondent.

On 16.04.2026, the following order was passed in the connected matter being SLP [Crl.] No.6745/2026:

"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."**

In the light of the above order, the appellant in the present appeal is also 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.

Tag with SLP [CRL.] NO.6745/2026.

SLP(Crl) No. 6024/2026

SLP(Crl) No. 5570/2026

De-tagged.

(ASHA SUNDRIYAL)
DEPUTY REGISTRAR

(POONAM VAID)
ASSISTANT REGISTRAR