



ITEM NO.53

COURT NO.5

SECTION II

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No(s).
4882/2026

[Arising out of impugned final judgment and order dated 21-05-2018 in CRLA No. 1094/2016 passed by the High Court of Judicature at Allahabad]

PRAHLAD

Petitioner(s)

VERSUS

STATE OF U.P

Respondent(s)

Date : 22-05-2026 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE M.M. SUNDRESH
HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH

For Petitioner(s) :Mr. Ashutosh Yadav, Adv.
Mr. Yoshit Jain, Adv.
Mr. Gopal Singh, AOR

For Respondent(s) :Ms. Ruchira Goel, AOR

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

1. Leave granted.
2. The appellant has been convicted for the offences punishable under Sections 302 and 323 read with Section 34, and Sections 452, 504 and 506 of the Indian Penal Code, 1860 by the

Trial Court as confirmed by the High Court. The appellant has been sentenced to undergo imprisonment and to pay fine along with default stipulations, out of which the appellant has undergone incarceration for a period of four years and six months.

3. Heard the learned counsel appearing for the parties.

4. It is not in dispute that the co-accused persons have been granted the suspension of sentence during the pendency of their appeals.

5. As has rightly been submitted by the learned counsel appearing for the appellant, we do find mitigating circumstances which are available on record. The occurrence was in the year 2012, and there is no material to suggest that the appellant was involved in any other similar offence. Now, more than 10 years have elapsed since the date of the alleged occurrence. The appellant has already been under incarceration for a period of more than four years and six months. Considering the aforesaid circumstances, we are inclined to suspend the sentence imposed upon the appellant pending the final disposal of the present appeal.

6. Accordingly, the sentence imposed by the Trial Court is

hereby suspended during the pendency of the present appeal. The appellant shall be released on bail forthwith, subject to the terms and conditions imposed to the satisfaction of the concerned Trial Court.

7. The appeal shall be listed in due course.

(SACHIN KUMAR SRIVASTAVA)
COURT MASTER (SH)

(POONAM VAID)
ASSISTANT REGISTRAR