ITEM NO.6 COURT NO.6 SECTION II

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

Miscellaneous Application No. 3205/2026 in Crl.A. No. 4621/2026

SADDAM **Petitioner(s)**

VERSUS

STATE OF UP **Respondent(s)**

FOR ADMISSION
IA No. 329957/2026 - MODIFICATION

Date : 03-11-2026 This matter was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE MANMOHAN

For Petitioner(s) :
Mr. Praveen Kumar Jha- 3165 , AOR
Mr. Ashok Kumar Jha, Adv.
Dr. Ranjeet Bharti, Adv.
For Respondent(s) :

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

1. Heard the learned counsel appearing for the petitioner.

2. We have a very unusual case before us. Something very disturbing and we take serious cognizance of the same.

3. It appears from the materials on record that the petitioner before us has been put to trial for the offence punishable under Section 108 of the Bharatiya Nyaya Sanhita, 2023 (for short, "the BNS, 2023"), 2023 and Section 66D of the Information Technology Act, 2000, (for short "the Act 2000") respectively. He was arrested in connection with the First Information Report No. 0563 of 2025 registered with the Baghpat Police Station, Uttar Pradesh, for the alleged crime.

Signature Not Verified
Digitally signed by
VISHAL ANAND
Date: 2026.11.03
14:24:12 IST
Reason:

4. He came to this Court praying for bail.

5. This Court, vide Order dated 28th September, 2026, passed in Criminal Appeal No. 4621 of 2026, released the petitioner on bail.

6. The Order reads thus:-

> **"1. Leave granted. Exemption Application is allowed.**
>
> **2. The present appeal arises out of the impugned Order dated 27.02.2026 passed by the High Court of Judicature at Allahabad in Criminal Miscellaneous Bail Application No. 7815 of 2026, whereby the bail application filed by the appellant was adjourned without deciding the prayer for interim/regular release on merits. It is pertinent to note that the matter has been successively adjourned 12 times since then.**
>
> **3. The appellant is an accused in connection with FIR No. 0563/2025 registered at Police Station Baghpat, Uttar Pradesh, for offences punishable under Section 108 of the Bharatiya Nyaya Sanhita (BNS), 2023 and Section 66D of the Information Technology Act, 2000.**
>
> **4. The allegations against the appellant broadly centre around alleged cyber fraud and threats causing mental distress to the deceased, leading to his unfortunate suicide.**
>
> **5. Heard the learned counsel appearing for the appellant as well as the learned counsel appearing for the respondent-State.**
>
> **6. Learned counsel for the appellant submits that the appellant has been in continuous custody since 21.09.2025, and the financial transactions amounting to ₹21,500 and other alleged transfers were traced to third-party accounts and not to the appellant's bank account or UPI ID. Despite the bail application being listed multiple times before the High Court, the matter was adjourned without an effective hearing on merits. The appellant has no prior criminal antecedents, and the investigation qua the appellant is substantially complete.**
>
> **7. Learned counsel for the State has opposed the grant of bail.**
>
> **8. Taking into consideration the period of custody undergone, the stage of proceedings, and the facts and circumstances of the case, a fit case is made out for enlarging the appellant on regular bail. Accordingly, the impugned Order is set aside, and the appellant (Saddam) is ordered to be released on regular bail in connection with FIR No. 0563/2025 (P.S. Baghpat), subject to terms and conditions that the trial court may deem fit and proper to impose. The appellant shall cooperate with the trial proceedings; failing which, the trial court would be entitled to cancel the bail granted.**
>
> **9. With the aforesaid, this appeal is allowed."**

7. After the aforesaid order came to be passed by this Court, all that was required to be done by the petitioner was to furnish bail bonds before the Court concerned.

8. However, it appears that no lawyer is ready to represent the petitioner in the Court concerned for the reasons which *prima facie* appear to be quite obvious.

9. In such circumstances, despite the fact that the petitioner was ordered to be released on bail way back on 28th September, 2026, he is still in jail.

10. In such circumstances, referred to above, we direct the Jail Superintendent concerned to release the petitioner immediately from custody on obtaining a personal bond from the petitioner of the amount of Rs.10,000/.

11. State is called upon to show cause as to why appropriate compensation should not be awarded to the petitioner for his illegal detention in the custody so far, despite the fact that this Court ordered release on bail one and a half months back.

12. Registry is directed to forward one copy of this order to the Chief Justice of the High Court of Judicature at Allahabad.

13. List the matter on 3-12-2026.

(VISHAL ANAND)
DEPUTY REGISTRAR

(POOJA SHARMA)
COURT MASTER (NSH)