



ITEM NO.3

COURT NO.7

SECTION II-E

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 SPetition for Special Leave to Appeal (Crl.) No.5738/2026

[Arising out of impugned final judgment and order dated 08-02-2023 in IA No. 16000/2022 in Crl.Appeal No.7378/18 passed by the High Court of Madhya Pradesh Principal Seat at Jabalpur]

SHIVENDRA

Petitioner(s)

VERSUS

THE STATE OF MADHYA PRADESH

Respondent(s)

IA No. 82375/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT. IA No. 82377/2026 - EXEMPTION FROM FILING O.T. AND IA No. 82362/2026 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 24-04-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s) :

Mr. Prathvi Raj Chauhan, AOR
Mr. Venkatesh Rajput, Adv.
Mr. Sachin Singh, Adv.
Mr. Ram Lok Chauhan, Adv.
Mr. Neetesh, Adv.

For Respondent(s) :

Ms. Mrinal Gopal Elker, AOR
Mr. Abhimanyu Singh -g.a., Adv.
Mr. Manoj Kumar, Adv.
Mr. Aditya Chaudhary, Adv.
Ms. Silpi S Swain, Adv.

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

1. Exemption Applications are allowed.
2. The petitioner was put to trial for the offence of murder of his wife. At the end of the trial, the petitioner was held guilty

along with a co-accused.

3. Being dissatisfied with the Judgment and Order of conviction and sentence of life imprisonment passed by the Trial Court, the petitioner went before the High Court with a Criminal Appeal. The Criminal Appeal preferred by the petitioner bearing No.7378 of 2018 is pending consideration for final hearing. In the Criminal Appeal, the petitioner preferred an IA No.16000/2022 under Section 389(1) of the Code of Criminal Procedure, 1973 and prayed that the substantive order of sentence of life imprisonment be suspended and he be released on bail, pending the final disposal of his Criminal Appeal.

4. The High Court declined to suspend the substantive order of sentence.

5. In such circumstances, the petitioner is here before us with the present petition.

6. We heard the learned counsel appearing for the parties.

7. We take notice of the fact that the entire case hinges on circumstantial evidence.

8. The deceased happened to be the wife of the present petitioner.

9. The petitioner is undergoing life imprisonment past almost eight years.

10. We are informed that at present the High Court of Madhya Pradesh is taking up Criminal Appeals of the years 2013 and 2014 respectively. The Criminal Appeal of the present petitioner is of the year 2018. By the time it is taken up for hearing, the petitioner may undergo a further three to four years of imprisonment.

11. In the overall view of the matter, we are persuaded to exercise our discretion in favor of the petitioner.

12. We order that the substantive order of sentence of life imprisonment passed by the Trial Court shall remain suspended and the petitioner is ordered to be released on bail pending the final disposal of his Criminal Appeal in the High Court, subject to terms and conditions that the Trial Court may deem fit to impose.

13. With the aforesaid, this petition stands disposed of.

14. Pending applications, if any, also stand disposed of.

(VISHAL ANAND)
DEPUTY REGISTRAR

(POOJA SHARMA)
COURT MASTER (NSH)