

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 for Special Leave to Appeal (CrI.) No.3210/2023
(Arising out of impugned final judgment and order dated 28-02-2023
in CRMABA No. 1346/2023 passed by the High Court of Judicature at
Allahabad)

VINOD BIHARI LAL

Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH & ANR.

Respondent(s)

(IA No.49587/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT, IA No.49585/2023-EXEMPTION FROM FILING O.T.,
IA No. 59229/2023 - EXEMPTION FROM FILING O.T. AND
IA No. 59227/2023 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/
FACTS/ANNEXURES)

WITH

SLP(CrI) No. 3215/2023 (II)

(IA FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA
49656/2023, FOR EXEMPTION FROM FILING O.T. ON IA 49657/2023)

SLP(CrI) No. 3818/2023 (II)

(FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA
59740/2023, FOR EXEMPTION FROM FILING O.T. ON IA 59741/2023,
FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA
61315/2023 AND FOR EXEMPTION FROM FILING O.T. ON IA 61317/2023)

SLP(CrI) No. 3837/2023 (II)

(FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA
60260/2023 AND FOR EXEMPTION FROM FILING O.T. ON IA 60261/2023)

W.P.(CrI.) No. 141/2023 (X)

(IA No. 69268/2023 - CLARIFICATION/DIRECTION AND IA No. 69270/2023
- EXEMPTION FROM FILING O.T.)

SLP(CrI) No. 7233-7235/2023 (II)

(IA No. 114522/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT AND IA No. 114524/2023 - EXEMPTION FROM FILING O.T.)

SLP(CrI) No. 7380/2023 (II)

SLP(CrI) No. 10187/2023 (II)

(IA FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA
164507/2023, FOR EXEMPTION FROM FILING O.T. ON IA 164508/2023, FOR
CLARIFICATION/DIRECTION ON IA 172177/2023 AND FOR EXEMPTION FROM
FILING O.T. ON IA 172180/2023)

SLP(CrI) No. 13679/2023 (II)
(IA FOR EXEMPTION FROM FILING O.T. ON IA 209799/2023 AND FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 209800/2023)

SLP(CrI) No. 13231-13232/2023 (II)
(FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 211371/2023, FOR EXEMPTION FROM FILING O.T. ON IA 211372/2023, FOR PERMISSION TO FILE APPLICATION FOR DIRECTION ON IA 215611/2023)

SLP(CrI) No. 3814/2023 (II)
(IA FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 59724/2023, FOR EXEMPTION FROM FILING O.T. ON IA 59726/2023, FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 92512/2023)

SLP(CrI) No. 3804/2023 (II)
(FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 59562/2023, FOR EXEMPTION FROM FILING O.T. ON IA 59564/2023)

W.P.(CrI.) No. 123/2023 (X)
(FOR APPROPRIATE ORDERS/DIRECTIONS ON IA 61086/2023 AND FOR EXEMPTION FROM FILING O.T. ON IA 61088/2023)

SLP(CrI) No. 15251-15254/2023 (II)
(IA No.244406/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.244407/2023-EXEMPTION FROM FILING O.T. and IA No.246257/2023-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

W.P (CrI.)NO. 492/2023 (Item No. 41)
(FOR ADMISSION and I.A.No.210957/2023- EXEMPTION FROM FILING O.T. and IA No.210956/2023-CLARIFICATION/DIRECTION)

Date : 01-03-2024 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE MANOJ MISRA

For Petitioner(s) Mr. Vairawan A.s, AOR
Ms. Payoshi Roy, Adv.
Mr. Siddharth Sharma, Adv.
Mr. S. Prabu Ramasubramanian, Adv.
Mr. Bharathimohan M, Adv.
Mr. Santhosh K, Adv.

Ms. Mukta Gupta, Sr. Adv.
Mr. Manash Gandhi, Adv.

Mr. Dhiraj Abraham Philip, AOR
Mr. Febin V Mathew, Adv.
Ms. Srishti Agawaal, Adv.

Mr. Raghenth Basant, Sr. Adv.
Mr. C.U. Singh, Sr. Adv.
Mr. Siddharth Agarwal, Sr. Adv.
Mr. Sanbha Rumnong, Adv.
Mr. M.F. Philip, Adv.
Ms. Lija Merin John, Adv.
Mr. Perna Acharya, Adv.
Mr. Ashish Raghuvanshi, Adv.
Ms. Perna Acharya, Adv.
Ms. Purnima Krishna, AOR
Mr. Karamveer Singh Yadav, Adv.

Mr. Siddhartha Dave, Sr. Adv.
Ms. Jemtiben Ao, Adv.
Mr. Prastut Dalvi, Adv.
Ms. Pallavi Sharma, AOR

For Respondent(s) Mrs. Garima Prashad Sr. Adv, A.A.G.
Mr. Adarsh Upadhyay, AOR
Mr. Divyanshu Sahay, Adv.
Ms. Shradha Narayan, Adv.
Ms. Shweta Yadav, Adv.
Mr. Gautam Kumar, Adv.
Mr. Ajay Prajapati, Adv.
Mr. Aman Pathak, Adv.

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

In this batch of 15 petitions there are 5 petitions [SLP(CrI.) Nos. 3210/2023, 3215/2023, 3837/2023, 3814/2023 and 3804/2023] relating to the prayer for anticipatory bail in connection with the First Information Report (FIR) bearing No. 224/2022 lodged at the Kotwali Police Station, Fatehpur, State of U.P. for the offences under sections 120B, 153A, 506,420,467,468,471 read with 34 IPC and sections 3 & 5(1) of U.P. Prohibition of Unlawful Conversion of Religion Act, 2021.

We have heard the respective learned counsel appearing for the petitioners (original accused persons), Ms. Garima Prashad, the learned senior counsel alongwith Mr.Adarsh Upadhyay and Mr.Divyanshu Sahay, the learned counsel appearing for the State of Uttar Pradesh.

We are in a position to dispose of the five petitions referred to above in the wake of some developments. The development is that in connection with FIR No. 224/2022 investigation has been completed and charge sheet has been filed. The filing of the charge sheet must have culminated now in registration of a criminal case pending before a particular Court. Since charge sheet has been filed, there is no question now of effecting any arrest of any of the accused persons of the above referred five petitions.

In such circumstances, there is no good reason now to adjudicate these five petitions so far as the plea for anticipatory bail is concerned. Subject to the right of the accused persons either going for quashing or discharge the issue of anticipatory bail comes to an end. We take notice of the fact that all throughout the accused persons were protected by this Court. The interim protection which was earlier granted by this Court now stands confirmed.

At this stage, Ms. Prashad, the learned senior counsel appearing for the State has expressed an apprehension that since this Court is confirming the interim protection, the same may have its own effect on the merits of the prosecution case. We need not

clarify that grant of anticipatory bail to an accused for a particular offence has nothing to do with the merits of the prosecution case so far as trial is concerned. The trial has to proceed in accordance with law.

It is needless to say that the guilt or the innocence of the accused has to be determined on the basis of the evidence that may be lead in the course of the trial before the Trial Court.

Since charge sheet has been filed, either the State may produce a copy of the same or if one of the accused is in receipt of the charge sheet, he may produce the same.

SLP(CrI.) Nos. 3210/2023, 3215/2023, 3837/2023, 3814/2023 and 3804/2023 stand disposed of.

Notify the remaining petitions after six weeks.

(RAJNI MUKHI)
COURT MASTER (SH)

(POOJA SHARMA)
COURT MASTER (NSH)