SUPREME COURT OF INDIA RECORD OF PROCEEDINGS

SMW (Crl.) No(s). 4/2021

IN RE POLICY STRATEGY FOR GRANT OF BAIL

(IA No. 28005/2024 - APPROPRIATE ORDERS/DIRECTIONS IA No. 203408/2022 - APPROPRIATE ORDERS/DIRECTIONS IA No. 132106/2022 - EXEMPTION FROM FILING O.T. IA No. 164210/2024 - EXEMPTION FROM FILING O.T. IA No. 203407/2022 - INTERVENTION APPLICATION IA No. 27999/2024 - INTERVENTION/IMPLEADMENT)

## WITH SLP(Crl) No. 529/2021

MR. GAURAV AGRAWAL, ADVOCATE FOR NATIONAL LEGAL SERVICES AUTHORITY, MS. RASHMI NANDAKUMAR, ADVOCATE FOR NALSA, MR. DEVANSH A. MOHTA, ADVOCATE (A.C.), MR. ABHIMANYU TEWARI, ADVOCATE FOR STATE OF ARUNACHAL PRADESH, MR. YOGESH KANNA, ADVOCATE FOR STATE OF TAMIL NADU, MR. CHANCHAL K. GANGULI, Advocate for STATE OF WEST BENGAL, MR. SAMIR ALI KHAN, Advocate for State of Bihar, MR. MILIND KUMAR, ADVOCATE FOR STATE OF RAJASTHAN, MAHFOOZ A NAZKI FOR STATE OF ANDHRA PRADESH, MR. SACHIN PATIL FOR STATE OF MAHARASHTRA, MR. D.L CHIDANANDA FOR STATE OF KARNATAKA, MR.PRADEEP MISRA, ADVOCATE FOR STATE OF UP, MR. M.K MARORIA FOR ANDAMAN AND NICOBAR ISLANDS, MR. HARSHAD V HAMEED FOR STATE OF KERALA, MR. SHOVAN MISHRA, ADVOCATE FOR STATE OF ODISHA, DR. MONIKA GUSAIN, ADVOCATE FOR STATE OF HARYANA AND MR. ABHINAV MUKERJI, ADVOCATE FOR STATE OF HIMACHAL PRADESH, Mr. Aaditya Aniruddha Pande, Advocate for State of Maharashtra, Mr. Pukhrambam Ramesh Kumar, Advocate for State of Manipur, Ms. Swati Ghildiyal, Advocate for State of Gujarat, Mr. Shuvodeep Roy, Advocate for State of Assam, Mr. Pashupatinath Razdan, Advocate for State of MP., Ms. K. ENATOLI SEMA, ADVOCATE FOR STATE OF NAGALAND, Mr. Shirin Khajuria, Advocate for State of Goa, Mr. Sameer Abhyankar, Advocate for the State of Sikkim, Ms. Vishakha, Advocate for High Court of Gujarat and Mr. Bhavana Duhoon, Advocate for State of Goa, Ms. Rooh-e-Hina Dua, Advocate for State of Punjab, Ms. Devina Sehgal, Advocate for State of Telangana (IA No. 125258/2024 - ANTICIPATORY BAIL IA No. 125257/2024 - CLARIFICATION/DIRECTION IA No. 21807/2024 - EXEMPTION FROM FILING O.T.

IA No. 119551/2024 - INTERVENTION/IMPLEADMENT

IA No. 279441/2024 - INTERVENTION/IMPLEADMENT

IA No. 173609/2024 - PERMISSION TO FILE ADDITIONAL

DOCUMENTS/FACTS/ANNEXURES

IA NO. 21806/2024 - PERMISSION TO FILE APPLICATION FOR DIRECTION)

Date : 17-02-2025 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ABHAY S. OKA HON'BLE MR. JUSTICE UJJAL BHUYAN By Courts Motion Ms. Liz Mathew, Sr.Adv. (Amicus Curiae) Mr. Navneet R., AOR Ms. Mallika Agarwal, Adv. Mr. Togin M.Babichen, Adv. Mr. Omkar Hemanth, Adv. Mr. Devansh A.Mohta, Adv. (Amicus Curiae) Mr. Utkarsh Singhal, Adv. For the parties: Mr. Avdhesh Kumar Singh, A.A.G. Mr. Avdhesh Singh, A.A.G. Mrs. Prerna Dhall, Adv. Mr. Shivam Ganeshia, Adv. Mr. M N Gopinadh, Adv. Ms. Karishma Rajput, Adv. Ms. Akansha Singh, Adv. Mr. Prashant Singh, AOR Mr. Chandan Kumar Jha, Adv. M/S. Arputham Aruna And Co, AOR Mr. Milind Kumar, AOR Ms. Sansriti Pathak, A.A.G. Mr. Vikas Chaudhary, Adv. Mr. Arunabh Chowdhury, Sr. A.A.G. Mr. Vishnu Sharma, Standing Counsel, Adv. Ms. Madhusmita Bora, AOR Mr. Pawan Kishore Singh, Adv. Mr. Anando Mukherjee, AOR Mr. Shwetank Singh, Adv. Mr. Aravindh S., AOR Mr. Akshay Gupta, Adv. Mr. Aadithya Aravindh, Adv. Mr. Gopal Jha, AOR Ms. Vishakha, AOR Mr. Abhimanyu Tewari, AOR Ms. Eliza Bar, Adv.

Mr. Mrigank Prabhakar, AOR Ms. Medha Deo, Adv. Mr. Siddharth Sahu, Adv. Mr. Dhirendra Kumar Mishra, Adv. Mr. Md. Sheikh Khalid Saifullah, Adv. Mr. Rameshwar Prasad Goyal, AOR Mr. Amol Chitravanshi, AOR Mr. Prashant Shrikant Kenjale, AOR Mr. P.V. Surendranath, Sr. Adv. Mr. Harshad V. Hameed, AOR Mr. Dileep Poolakkot, Adv. Mrs. Ashly Harshad, Adv. Mr. Sawan Kumar Shukla, Adv. Ms. Lekha Sudhakaran, Adv. Ms. Sindoora VNL, AOR Ms. Thithiksha Padmam, Adv. Mr. Vedant Bharadwaj For Ms. Mridula Ray Bharadwaj, AOR Mr. Kanhaiya Singhal, AOR Mr. Debojit Borkakati, AOR Mr. Pai Amit, AOR Ms. Pankhuri Bhardwaj, Adv. Mr. Kushal Dube, Adv. Ms. Nidhi Mittal, AOR Mr. Sabarish Subramanian, AOR Mr. Mukesh K. Giri, AOR Mr. Mandaar Mukesh Giri, Adv. Ms. Swati Ghildiyal, AOR Ms. Deepanwita Priyanka, Adv. Ms. Devyani Bhatt, Adv. Ms. Neha Singh, Adv. Ms. Asmita Singh, AOR Mr. Abheet Mangleek, Adv. Mr. Tushar Nair, Adv. Mr. Punishk Handa, Adv. Mr. Anirudh Anand, Adv.

Mr. Shovan Mishra, AOR Mr. Kunal Mimani, AOR Mr. Partha Sil, AOR Ms. Sayani Bhattacharya, Adv. Mr. Srijip Dutta,Adv. Mr. Bharat Bagla, Adv. Mr. Siddharth Dharmadhikari, Adv. Mr. Aaditya Aniruddha Pande, AOR Mr. Ahanthem Henry, Adv. Mr. Ahanthem Rohen Singh, Adv. Mr. Mohan Singh, Adv. Mr. Aniket Rajput, Adv. Ms. Khoisnam Nirmala Devi, Adv. Mr. Kumar Mihir, AOR Mr. Kartikeya Rastogi, DAG Ms. Tamanna Kaudia, Adv. Mr. Akshay Girish Ringe, AOR Ms. Anurag Rana, Adv. Ms. Madhuravalli, Adv. Mr. Harsh Wadhwani, Adv. Mr. Sukhmandeep Singh, Adv. Mr. Pushpinder Singh, AOR Mr. Divyakant Lahoti, AOR Ms. Praveena Bisht, Adv. Ms. Vindhya Mehra, Adv. Mr. Kartik Lahoti, Adv. Mr. Rahul Maheshwari, Adv. Mr. Kumar Vinayakam Gupta, Adv. Mr. Adith Menon, Adv. Ms. Samridhi Bhatt, Adv. Ms. Shreya Gokel, Adv. Ms. Anushka Awasthi, Adv. Mr. Siddharth Tripathi, Adv. Ms. Akanksha Soni, Adv. Mr. Pukhrambam Ramesh Kumar, AOR Mr. Karun Sharma, Adv. Ms. Anupama Ngangom, Adv. Ms. Rajkumari Divyasana, Adv. Mr. Tapesh Kumar Singh, Sr. Adv. Mr. Ashwarya Sinha, AOR Ms. Surbhi Kumari, Adv.

Mr. Shivansh Bharatkumar Pandya , AOR Mrs. Shirin Khajuria, Sr. Adv. Ms. Bhavana Duhoon, AOR Ms. Swati Tiwari, Adv. Mr. Anshul Syal, Adv. Mr. P. I. Jose, AOR Mr. Ravi Sagar, Adv. Mrs. Mary Scaria, Adv. Mr. Amit Kumar, Advocate General, Sr. Adv. Mr. Avijit Mani Tripathi, AOR Mr. Shaurya Sahay, Adv. Mr. Aditya S. Pandey, Adv. Mr. T.K. Nayak, Adv. Ms. Marbiang Khongwir, Adv. Mr. Upendra Mishra, Adv. Mr. P.S.Negi, Adv. Ms. Rashmi Nandakumar, AOR Ms. Yashmita Pandey, Adv. Mr. Mahfooz Ahsan Nazki, AOR Mr. Kedar Nath Tripathy, AOR Mr. Yashvardhan, Adv. Mr. Apoorv Shukla, AOR Ms. Prabhleen A. Shukla, Adv. Mr. Sameer Abhyankar, AOR Mr. Rahul Kumar, Adv. Ms. Yachna Sharma, Adv. Ms. Yashika Sharma, Adv. Mr. Aakash Thakur, Adv. Mr. Karan Sharma, AOR Ms. Rooh-e-hina Dua, AOR Mr. Gurmeet Singh Makker, AOR Mr. Amit Sharma, AOR Mr. Dipesh Sinha, Adv. Ms. Pallavi Barua, Adv. Ms. Aparna Singh, Adv.

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Mr. D.Kumanan, AOR Mr. V Balachandran, Adv. Mr. Siddharth Naidu, Adv. For M/S. KSN & Co., AOR Mr. K.M.Nataraj, A.S.G. Mr. Piyush Beriwal, Adv. Mr. B.K.Satija, Adv. Ms. Mrinal Elkar Mazumdar, Adv. Mr. Mukesh Kr.Verma, Adv. Mr. Neeraj Kr.Sharma, Adv. Ms. Indira Bhakar, Adv. Mr. Kanu Agrawal, Adv. Mr. Varun Chugh, Adv. Mr. Bhuvan Kapoor, Adv. Mr. Vatsal Joshi, Adv. Mr. Shreekant Neelappa Terdal, AOR Mr. Krishna Kant Dubey, Adv. Ms. Prerna Singh, Adv. Mr. Guntur Pramod Kumar, AOR Mr. Samarth Krishan Luthra, Adv. Mr. Dhruv Yadav, Adv. Mr. Amit Sharma, A.A.G. Mr. Pashupathi Nath Razdan, AOR Mr. Sarthak Raizada, Adv. Mr. Rajan K. Choursia, Adv. Mr. Sahil Tagotra, AOR Mr. Sujay Jain, Adv. Mr. Ashok Kumar Panda, Sr. Adv. Mr. Chanchal Kumar Ganguli, AOR Mr. Soumitra G. Chaudhuri, Adv. Mr. Samir Ali Khan, AOR Ms. K. Enatoli Sema, AOR Mr. Amit Kumar Singh, Adv. Ms. Chubalemla Chang, Adv. Mr. Prang Newmai, Adv. **UPON** hearing the counsel the Court made the following ORDER

The learned senior counsel appointed as Amicus Curiae has submitted a detailed note about the status of

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pendency of Criminal Appeals in the High Courts. Before we consider the note, we need to have a comprehensive data. We, therefore, direct the Registrar Generals of all the High Courts to submit a detailed report to this Court giving details of pendency of Criminal Appeals as under:

 Number of appeals against conviction pending before the Single Judges and the Division Benches;

2) Further bifurcation of appeals against conviction into two categories (i) where accused have been granted bail and (ii) where accused have not been granted bail; and

3) The data regarding the appeals against acquittal pending before the Single Judges and the Division Benches;

The Registrar (Judicial) of this Court to forthwith communicate this order to the Registrar Generals of all the High Court. This comprehensive data shall be submitted to the Registrar (Judicial) of this Court within a period of one month from today.

For considering the note on disposal of the Criminal Appeals, the petition shall be listed on 24<sup>th</sup> March, 2025 at the end of the cause list.

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As soon as the data is received from the High Courts, the Registry will provide soft copies of the data to all counsel appearing for the parties including the learned amicus curiae.

(ANITA MALHOTRA) AR-CUM-PS (AVGV RAMU) COURT MASTER