

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. _____ OF 2026
(Arising out of SLP (Criminal) No. _____ of 2026)
@ Diary No. 42188/2026

RAM SWAROOP

APPELLANT(S)

VERSUS

STATE OF U.P.

RESPONDENT(S)

O R D E R

1. Delay condoned.
2. Leave granted.
3. The present appeal arises out of the judgment dated 30.03.2026, passed by the High Court of Judicature at Allahabad in Criminal Appeal No. 4576 of 2005.
4. The said criminal appeal was preferred before the High Court against the judgment and order dated 05.10.2005 passed by the Additional Sessions Judge, District - Bareilly, in Session Trial No. 763 of 2003, whereby the appellant was convicted for the offence punishable under Section 324 of the Indian Penal Code, 1860.
5. Learned counsel for the appellant, at the outset, has stated before this Court that the High Court, in absence of counsel for the appellant and without appointing an *Amicus Curiae*, has decided the matter, and therefore,

principles of natural justice and fair play have been violated while convicting the petitioner.

6. The sole prayer made before this Court is to remand back the matter and to permit the petitioner to engage a counsel to argue his appeal.

7. Learned counsel for the appellant has placed reliance upon the judgment delivered by this Court in case of *K. Muruganandam and Others v. State represented by the Deputy Superintendent of Police and Another*¹.

8. Learned counsel appearing for the respondent-State of Uttar Pradesh has not objected to the reasonable prayer made by the petitioner.

9. After carefully gone through the record, we are of the opinion that as the judgment has been delivered without hearing the appellant and as nobody has appeared on his behalf, the judgment delivered in the matter deserves to be set aside and is accordingly set aside.

10. The matters is remanded back to the High Court for deciding the same afresh on merits after hearing the parties.

11. It is needless to observe that in the event the appellant is unable to engage a counsel, the High Court is requested to appoint an *Amicus Curiae* to represent him and argue the matter on his behalf.

1 . (2021) 20 SCC 642

12. The parties are directed to appear before the High Court on 24.08.2026.

13. The appeal stands disposed of in the above terms.

14. Pending application(s), if any, shall stand disposed of.

.....J.
[SATISH CHANDRA SHARMA]

.....J.
[NONGMEIKAPAM KOTISWAR SINGH]

NEW DELHI;
04th August, 2026

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

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s). 42188/2026

[Arising out of impugned final judgment and order dated 30-03-2026 in CRLA No. 4576/2005 passed by the High Court of Judicature at Allahabad]

RAM SWAROOP

Petitioner(s)

VERSUS

STATE OF U.P.,

Respondent(s)

IA No. 214526/2026 - CONDONATION OF DELAY IN FILING
IA No. 214525/2026 - EXEMPTION FROM FILING O.T.

Date : 04-08-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SATISH CHANDRA SHARMA
HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH

For Petitioner(s) :Mr. Bhuwan Raj, AOR
Mr. Subhangam Padhy, Adv.
Ms. Manju Savita, Adv.
Mr. Anubhav Mehrotra, Adv.
Mr. Ashutosh Rana, Adv.

For Respondent(s) :Ms. Tulika Mukherjee, AOR
Mr. Beenu Sharma, Adv.
Mr. Venkat Narayan
Mr. Utkarsh Anand, Adv.

Ms. Sakshi Kakkar, AOR

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

1. Delay condoned.
2. Leave granted.

3. The appeal is disposed of in terms of the signed order placed on the file.

4. Pending application(s), if any, shall stand disposed of.

(RAHUL KUMAR)
COURT MASTER (SH)

(KOMAL)
COURT MASTER (NSH)