

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGSPetition(s) for Special Leave to Appeal (Crl.) No(s). 7857/2022

[Arising out of impugned judgment and order dated 26-07-2022 in CRMBA No. 13762/2021 passed by the High Court of Judicature at Allahabad, Lucknow Bench]

ASHISH MISHRA ALIAS MONU

Petitioner(s)

VERSUS

STATE OF U.P.

Respondent(s)

(IA No. 167449/2022 - APPLICATION FOR PERMISSION, IA No. 122127/2022 - EXEMPTION FROM FILING O.T., IA No. 164803/2022 - EXEMPTION FROM FILING O.T., IA No. 152757/2022 - EXEMPTION FROM FILING O.T., IA No. 127590/2022 - EXEMPTION FROM FILING O.T., IA No. 122135/2022 - INTERVENTION/IMPLEADMENT, IA No. 127589/2022 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES, IA No. 268558/2024 - PERMISSION TO FILE APPLICATION FOR DIRECTION, IA No. 122134/2022 - PERMISSION TO FILE LENGTHY LIST OF DATES AND IA No.70196/2025 - APPLICATION SEEKING MODIFICATION OF ORDER DATED 25.01.2023)

Date : 08-05-2025 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SURYA KANT
HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH

For Petitioner(s) : Mr. Siddharth Dave, Sr. Adv.
Mr. Pankaj Sharma, Adv.
Mr. Avdesh Chaudhary, Adv.
Mr. Rajeev Dubey, Adv.
Mr. Kshitij Mudgal, AOR
Mr. Kartik Arora, Adv.
Ms. Sakshi Gaur, Adv.

For Respondent(s) : Mr. Prashant Bhushan, AOR
Mr. Rahul Gupta, Adv.

Ms. Garima Prashad, Sr. A.A.G.
Ms. Ruchira Goel, AOR
Mr. Sharanya Sinha, Adv.

UPON hearing the counsel the Court made the following

O R D E R

1. Heard Mr. Siddharth Dave, learned senior counsel for the applicant, Ms. Garima Prasad, learned Sr. AAG for the State of Uttar Pradesh and Mr. Prashant Bhushan, learned counsel for the complainant.

2. The instant application has been moved by the applicant seeking the following reliefs:

"a) pass an order modifying the condition no. 7 (vi) of the order dated 25.01.2023 passed in S.L.P. (Cr1) No. 7857 of 2022 whereby the Petitioner has been restricted from entering the State of Uttar Pradesh except for the purpose attending the trial proceedings; AND

b) permit the Petitioner to stay at Lakhimpur Kheri;
AND/OR

c) pass any such further order(s) as this Hon'ble Court may deem fit and proper in the interest of justice."

3. The prayer (a) has been sought primarily on the ground that the health of the applicant's mother, who stays in Lakhimpur Kheri, is deteriorating and that the applicant's daughters are also at the crucial stage of their educational career. During the course of hearing, it is informed that while the elder daughter of the applicant is now studying at Jaipur, the younger daughter is studying at Lakhimpur Kheri. The applicant, thus, seeks modification of the conditions imposed in the order dated 25.01.2023 on the ground that he may be permitted to look after his mother and spend time with the children.

4. In this regard, we have considered the submissions. The order dated 25.01.2023 is modified to the extent that the applicant is permitted to visit Lakhimpur Kheri on every Saturday evening and

spend time with family till Sunday evening. He will return to Lucknow on Sunday evening. While staying at Lakhimpur Kheri, the applicant shall not participate in any public meeting or in political activities. Such visits shall be strictly private and meant only to spend time with the family members. IA No.70196/2025 is accordingly disposed of.

5. As regard to the observations made in paragraph 7 of the order dated 24.03.2025, learned Senior AAG has handed over a list of 208 witnesses proposed to be examined on behalf of the prosecution. She has pointed out that 16 witnesses including 10 injured eye-witnesses have already been examined. She further points out that the Public Prosecutor would examine the list to find out whether some of the witnesses, if found unnecessary, can be dropped. We leave it entirely to the wisdom of the Public Prosecutor to take a final decision in this regard.

6. Post the matter on 07.08.2025.

(NITIN TALREJA)
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)
ASSISTANT REGISTRAR