

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

Miscellaneous Application No.1086/2025 in CrI.A. No.2295/2025

[Arising out of impugned final judgment and order dated 29-04-2025 in CrI.A. No.2295/2025 passed by the Supreme Court of India]

AFTAB

Petitioner(s)

VERSUS

THE STATE OF UTTAR PRADESH

Respondent(s)

(IA No. 141558/2025 - MODIFICATION OF COURT ORDER)

Date : 24-06-2025 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE K.V. VISWANATHAN
HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH
(PARTIAL COURT WORKING DAYS BENCH)

For Petitioner(s) :Mr. Abhishek Singh, Adv.
Mr. Sandeep Kumar, Adv.
Mr. Anil Kumar, Adv.
Ms. Manju Jetley, AOR

For Respondent(s) :Mr. Vikas Bansal, Adv.
Ms. Ashwina Lakra, Adv.
Dr. Vijendra Singh, AOR

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

1. This case presents a very unfortunate scenario. The petitioner/applicant was released on bail by an order of this Court dated 29.04.2025. The order is categoric and states that the petitioner/applicant shall be released on bail during the pendency of the trial in connection with Case Crime/First Information Report No.02/2024 dated 03.01.2024 registered with Police Station - Wave City, District- Ghaziabad, Uttar Pradesh for the offence(s) punishable under Section 366 of the Indian Penal Code, 1860 and

Sections 3 and 5 of the Uttar Pradesh Prohibition of Unlawful Conversion of Religion Act, 2021 (in short, the "2021 Act") on terms and conditions to be fixed by the trial court. Certain other incidental directions were also made. After this order, the Additional District and Sessions Judge, Court No.13, Ghaziabad issued a release order to the Jail Superintendent, District Jail, Ghaziabad authorizing and requiring the Jail Superintendent, District Jail, Ghaziabad to release forthwith the accused person from custody after he has executed the personal bond attached here unless he was liable to be detained for some other matter. This order was made on 27.05.2025. After this order was made, it is stated by the petitioner/applicant that he has been unable to secure his liberty because in the orders of the High Court and this Court, clause (1) of Section 5 of 2021 Act was omitted and because of that the petitioner/applicant could not be released. So contending, the petitioner/applicant now seeks a modification of the order of 29.04.2025 to specifically include clause (1) of Section 5 of 2021 Act.

2. As stated earlier in the order of 29.04.2025, the concerned Sections are clearly mentioned. It is a travesty of justice that on the ground that a sub-section number was not mentioned, the petitioner/applicant is till date kept behind bars. This calls for a serious enquiry.

3. We direct the Jail Superintendent, District Jail, Ghaziabad to personally present in the Court tomorrow i.e., 25.06.2025 at 10.30 a.m. We also direct the Director General, Prisons, State of Uttar Pradesh to appear before this Court tomorrow i.e., 25.06.2025

through video-conferencing.

4. Post the matter tomorrow i.e., 25.06.2025 as the first matter.

(ARJUN BISHT)
ASTT. REGISTRAR-cum-PS

(SUDHIR KUMAR SHARMA)
COURT MASTER (NSH)