

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. _____/2025
(@ SLP (CrI.) No. 11667/2025)

MANJEET SINGH APPELLANT(S)

VERSUS

STATE OF UTTAR PRADESH RESPONDENT(S)

WITH

CRIMINAL APPEAL NO. _____/2025
(@ SLP (CrI.) No. 11679/2025)

O R D E R

Leave granted.

The impugned orders reflect that the High Court did not take note of the fact that it exercises concurrent jurisdiction along with the Sessions Court insofar as grant of anticipatory bail, under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, is concerned.

This Court's decisions in "*Kanumuri Raghurama Krishnam Raju Vs. State of A.P.*"¹ and "*Arvind Kejriwal vs. Directorate of Enforcement*"² made this position clear and declared that it would

1 (2021) 13 SCC 822

2 2024 INSC 512

not be necessary for an accused to approach the Sessions Court in the first instance, as a rule, before approaching the High Court.

Further, we are informed that a larger Bench of the High Court, comprising five Judges, dealt with the issue as to in what circumstances an accused could seek anticipatory bail directly from the High Court.

The larger Bench answered the reference as follows:

xxx	xxx	xxx
"Question (i) and (iv) clearly do not merit any elucidation for it is for the concerned Judge to assess whether special circumstances do exist in a particular case warranting the jurisdiction of the High Court being invoked directly. We answer Questions (ii) and (iii) in the negative and hold that Vinod Kumar does not merit any reconsideration or further explanation. It would be for the concerned Judge to form an opinion in the facts of each particular case whether special circumstances do exist and stand duly established."		
xxx	xxx	xxx

In the light of the aforestated legal position, the High Court ought to have applied its mind to determine as to whether the cases on hand warranted exercise of jurisdiction by it in the first instance without relegating the accused to the Sessions Court. As the High Court failed to undertake such exercise, we are constrained to set aside the impugned orders and remit the matters to the High Court for consideration of the bail applications afresh on facts and in accordance with law.

This exercise shall be completed as expeditiously as possible, considering the fact that this is the second round.

The appeals are disposed of in the aforestated terms.

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

.....J.
(SANJAY KUMAR)

.....J.
(N.V. ANJARIA)

NEW DELHI;
AUGUST 07, 2025.

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 (Crl.) No. 11667/2025

[Arising out of impugned final judgment and order dated 28-07-2025 in A482 BNSS No. 929/2025 passed by the High Court of Judicature at Allahabad, Lucknow Bench]

MANJEET SINGH

Petitioner(s)

VERSUS

STATE OF U.P

Respondent(s)

IA No. 186777/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT AND IA No. 186779/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

WITH

SLP(Crl) No. 11679/2025 (II)

IA No. 186822/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT AND IA No. 186823/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES

Date : 07-08-2025 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KUMAR
HON'BLE MR. JUSTICE N.V. ANJARIA

For Petitioner(s) Mr. Shyam Manohar, Adv.
Ms. Manju Jetley, AOR

For Respondent(s)

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

Leave granted.

The appeals are disposed of in terms of the signed order.

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

(Babita Pandey)
Asth. Registrar-cum-PS

(Preeti Saxena)
Court Master (NSH)

(Signed order is placed on the file)

