IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL No(s). of 2026
(Arising out of SLP(Crl.) No.4848/2026)

CHANDER PAL **Appellant(s)**

VERSUS

RAHUL @ VIKRAM & ANR. **Respondent(s)**

O R D E R

1. Leave granted.

2. This appeal is preferred by the *de facto* complainant, *Chander Pal*, who is the father of the deceased, *Akshay.* Respondent no.1, *Rahul @ Vikram*, has been directed to be released on bail under the impugned order passed by the High Court on the ground that he is in jail for last about more than 05 years.

3. It is argued that the High Court ought to have considered all relevant aspects of the matter, including the criminal antecedents of the respondent no.1 and particularly the fact that respondent no.1, was earlier convicted for committing offence under Sections 307/34 of the Indian Penal Code, 1860 & Section 25 of Arms Act, 1959 vide

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Reason:

judgment dated 08.11.2016 passed in Sessions Case No. 02 of 30.01.2015 Session Trial No.01 of 30.01.2015 for attempting on the life of the injured, *Akshay*, who is the same person who has been murdered in the present case.

4. Learned counsel for the appellant would further submit that respondent no.1, *Rahul @ Vikram*, is a dreaded criminal and is involved in series of offence yet, the said aspect of the matter has not been considered by the High Court.

5. Learned counsel appearing for the respondent no.1, *Rahul @ Vikram*, would submit that while filing the bail petition before the High Court, custody certificate was submitted wherein, the criminal antecedents were mentioned therefore, the respondent no.1, Rahul @ Vikram, is not guilty of concealing any material fact before the High Court. He would also submit that respondent no.1 being in jail for more than 05 years, the judicial discretion exercised by the High Court ought not to be interfered with as it involves the respondent no.1's right to speedy trial.

6. True it is that the right to speedy trial is always considered to be a facet of Article 21 of the Constitution of India but, at the same time, when the accused in involved in committing heinous offence, the right of the accused and the interest of the society, including the interest of the victim and his family, is also required to be seen.

7. In the case at hand, while preferring the bail petition before the High Court, the respondent no.1 made a statement at two places firstly, in paragraph no. 3(i) and again at paragraph no.6 of Annexure P-7 that he is not involved in any other case except the present case. Thus, the respondent no.1 has concealed his conviction in the previous case wherein, he has been convicted and sentenced for attempting on the life of the same person, Akshay, who is the deceased in the present case.

8. Not only this, the present crime has been committed while the respondent no.1 has been enlarged on bail in the case where he stands convicted for committing offence under

Sections 307/34 of the Indian Penal Code, 1860 & Section 25 of Arms Act, 1959.

9. From the impugned order passed by the High Court, it appears that neither the previous conviction of respondent no.1 was ever brought to the notice of the High Court nor the involvement of respondent no.1 in other criminal cases were placed before the High Court at the time of hearing of the bail petition.

10. A criminal, having antecedents and previous conviction, cannot be released on bail merely on the strength of his/ her right to speedy trial. It is the duty of the Court to maintain balance between the two facets i.e., right to speedy trial and the societal interest, by releasing a person on bail while he is involved in series of offences and particularly when the bail order has been secured by making incorrect statement before the High Court.

11. For all the above stated reasons, we are of the clear view that the High Court ought not have released the respondent no.1,

R*ahul @ Vikram*, on bail pending trial.

12. Accordingly, the impugned order passed by the High Court is set aside and the respondent no.1, *Rahul @ Vikram*, is directed to surrender before the concerned Court within a week from today.

13. The appeal stands allowed.

.....J.
(PRASHANT KUMAR MISHRA)

.....J.
(SHREE CHANDRASHEKHAR)

New Delhi
18.11.2026

ITEM NO.2 COURT NO.11 SECTION II-B

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

Petition(s) for Special Leave to Appeal (Crl.) No(s). 4848/2026

[Arising out of impugned final judgment and order dated 28-01-2026 in CRM-M No. 38421/2025 passed by the High Court of Punjab & Haryana at Chandigarh]

CHANDER PAL Petitioner(s)

VERSUS

RAHUL @ VIKRAM & ANR. Respondent(s)

IA No. 49478/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT
IA No. 49480/2026 - EXEMPTION FROM FILING O.T.

Date : 18-11-2026 This matter was called on for hearing today.

CORAM :
HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA
HON'BLE MR. JUSTICE SHREE CHANDRASHEKHAR

For Petitioner(s) :
Mr. Chandra Prakash- 1924, AOR
Mr. Vivek Singh, Adv.
Mr. C.p. Rajwar, Adv.
Mr. Rohan Chandra, Adv.
Mr. Aindri Saha, Adv.
Mr. Abhishek Chaterjee, Adv.

For Respondent(s) :
Mr. Shashank Singh, AOR
Ms. Savitri Devi, Adv.
Ms. Prapti Shrivastava, Adv.
Ms. Saiyyada, Adv.
Ms. Sneha Chandna, Adv.

Mr. Anurag Kulharia, A.A.G.
Mr. Samar Vijay Singh, AOR
Dr. Navya Jannu, Adv.
Ms. Sabarni Som, Adv.
Mr. Gyaneshwar Joshi, Adv.
Dr. Mahesh Y Reddy, Adv.

UPON hearing the counsel the Court made the following

O R D E R

1. Leave granted.

2. The appeal is allowed in terms of the signed order.

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

(NISHA KHULBEY)
COURT MASTER (SH)

(ANU BHALLA)
COURT MASTER (NSH)

(signed order is placed on the file)