

**N THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPEAL NO(S) 2351-52 OF 2026
(ARISING OUT OF SLP (CRIMINAL) NO(S) 8408-09 OF 2026)**

AMAN SINGH & ANR.

APPELLANT(S)

VERSUS

THE STATE OF BIHAR

RESPONDENT(S)

O R D E R

IA No. 276673/2026

1. On 27th April, 2026, this Court passed an order directing the trial Courts and the High Courts to call for reports pertaining to aggravating and mitigating circumstances in every case involving an offence punishable with death.

2. The Court was of the opinion that, in a large number of such cases, the exercise of collecting and placing on record the aggravating and mitigating circumstances was being undertaken only when the matters reached this Court. In terms of Paragraph 13 of the order dated 27th April, 2026, the direction to call for the aggravating and mitigating circumstances was mandatorily made applicable to the trial Courts as well

as the High Courts.

3. The instant application has been moved by National Legal Service Authority (NALSA) seeking clarification of the aforesaid order, particularly on the aspect that the direction requiring the trial Court to undertake the exercise in every case involving an offence punishable with death is not workable and may give rise to procedural difficulties.

4. Ms. Rashmi Nandakumar, learned counsel representing NALSA, pointed out that there may be many cases wherein the trial Court may not even contemplate imposing a sentence of death but as per the directions contained in the order dated 27th April, 2026, the trial Court would nevertheless be required to undertake the exercise of calling for reports regarding aggravating and mitigating circumstances in every such case. She further submitted that, otherwise also, the trial Courts may find it very difficult to comply with the aforesaid direction because the trial Courts may not be possessed with the requisite resources or facilities to undertake such an extensive exercise.

5. Having considered the submissions advanced, we are in agreement with the submission of Ms. Nandakumar. Directions contained in Para No. 13(A) of the order dated 27th April, 2026 which mandate the trial Courts to call for the report of aggravating and mitigating circumstances, deserves to be and is hereby deleted.

6. Accordingly, a corrigendum be issued to this effect and the corrected copy be forwarded to all concerned with the necessary rectification after deleting Para No. 13(A) of the order dated 27th April, 2026.

7. IA No. 276673/2026 stands disposed of accordingly.

8. Office to proceed.

.....,J.
(VIKRAM NATH)

.....,J.
(SANDEEP MEHTA)

.....,J.
(APARESH KUMAR SINGH)

**NEW DELHI;
OCTOBER 07, 2026.**

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

CRIMINAL APPEAL NO(S). 2351-2352/2026

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THE STATE OF BIHAR

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[THREE JUDGE MATTER] [ONLY I.A. NO. 276673/2026 IS LISTED UNDER THIS ITEM]

IA No. 276673/2026 - CLARIFICATION/DIRECTION

Date : 07-10-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE VIKRAM NATH
HON'BLE MR. JUSTICE SANDEEP MEHTA
HON'BLE MR. JUSTICE APARESH KUMAR SINGH

For Appellant(s) : Mr. Pramod Kumar Dubey, Sr. Adv.
Mr. Saurav Aggarwal, Adv.
Mr. Ravi Sharma- 3026, AOR
Ms. Madhulika Rai Sharma, Adv.
Ms. Pinky Dubey, Adv.
Mr. Satyam Sharma, Adv.
Mr. Anjani Kumar, Adv.
Ms. Prachi Dubey, Adv.
Mr. Praphull Kumar, Adv.
Mr. Ramachandrani B Siddhartha, Adv.
Mr. Arya Bhat, Adv.
Ms. Anadi Mishra, Adv.
Mr. Faizan Shaukat Ali, Adv.
Ms. Shivangi Mishra, Adv.
Mr. Parmeet Singh, Adv.

Dr. Manish Singhvi, Sr. Adv.
Mr. Mukul Kumar, Adv.
Ms. Priya Kashyap, Adv.

For Respondent(s) : Mr. Akshay Amritanshu- 3121, AOR
Mr. Sarthak Srivastava, Adv.
Mr. Utkarsh Rai, Adv.

Mr. R. Basant, Sr. Adv.
Mr. Gaurav Agarwal, Sr. Adv.
Ms. Shreya Rastogi, Adv.

Ms. Maulshree Pathak- 3681, AOR
Ms. Moulika Diwakar, Adv.
Mr. Raunak Arora, Adv.

Mr. Prashant Shrikant Kenjale- 2993, AOR
Ms. Damini Vishwakarma, Adv.
Mr. B Dhananjay, Adv.

Mr. B. Shravanth Shanker- 2815, AOR
Ms. Grahita Agarwal, Adv.
Mr. Dandu Laxman, Adv.
Mr. Shreyas Jayasimha, Adv.
Ms. Prerna Robin, Adv.
Mr. Shivam Kunal, Adv.
Mr. I.V. Sai Nikhil, Adv.
Mr. Tushar Gadia, Adv.
Mr. Suryansh Jamwal, Adv.
Mr. B. Yeshwanth Raj, Adv.

Mr. Anuj Bhandari- 2175, AOR

Mr. Sahil Tagotra- 2520, AOR
Ms. Shreya Kasera, Adv.
Mr. Abhishek Pandey, Adv.

Ms. Rashmi Nandakumar- 2190, AOR
Ms. Yashmita Pandey, Adv.

Mr. P. I. Jose- 1206, AOR
Mr. Md Rafiur Rahman, Adv.
Mr. Ritesh Kumar Gupta, Adv.
Mr. S Manoj, Adv.
Mr. Sarbartha Ghosal, Adv.

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

IA No. 276673 of 2026 stands disposed of in
terms of the signed order.

(SHIPRA NARANG)
SENIOR PERSONAL ASSISTANT

(Signed order is placed on the file)

(RANJANA SHAILEY)
ASSISTANT REGISTRAR