ITEM NO.1 COURT NO.4 SECTION II-A

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). 5265-5266/2026

[Arising out of impugned final judgment and order dated 04-05-2017 in CRLA No. 1022/2009 04-05-2017 in CRLA No. 1023/2009 passed by the High Court of Judicature at Bombay]

BIPINCHAND KANAIYALAL JOSHI @ LALA DOCTOR, ETC. Petitioner(s)

VERSUS

THE STATE OF GUJARAT & ANR. Respondent(s)

IA No. 227736/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT
IA No. 227731/2025 - EXEMPTION FROM FILING O.T.
IA No. 288404/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ ANNEXURES
IA No. 257886/2025 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ ANNEXURES

Date : 28-10-2026 This matter was called on for hearing today.
CORAM : HON'BLE MR. JUSTICE M.M. SUNDRESH
HON'BLE MR. JUSTICE PRASANNA B. VARALE

For Petitioner(s) :Mr. Siddharth Luthra, Sr. Adv.
Mr. Ayush Anand- 3409, AOR
Ms. Sonia Mathur, Adv.
Mr. Nachiketa Joshi, Adv.
Mr. Ayush Anand, Adv.
Mr. Santosh Kumar, Adv.
Mr. T Bhaskar Gowtham, Adv.
Mr. Pankaj Singhal, Adv.
Mr. Vishal Kumar, Adv.
Mr. Monu Kumar, Adv.
Mr. Shivam Singhania, Adv.
Mr. Sougat Pati, Adv.
Mr. Sai Shashank, Adv.
Ms. Rushika Patil, Adv.
Mr. Nav Prakash Singh Teji, Adv.
Mr. Krishan Kant Kumar, Adv.

For Respondent(s) : Mr. Raja Thakre, A.S.G.
Ms. Swati Ghildiyal, AOR
Ms. Neha Singh, Adv.

Mr. Bharat Bagla, Adv.
Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande- 3259, AOR

Signature Not Verified
Digitally signed by SHUBHAM SONI
Date: 2026.10.29 15:47:25 IST
Reason:

Mr. Shrirang B. Varma, Adv.

Upon hearing the counsel, the Court made the following

O R D E R

1) Leave granted.

2) The appellants have been convicted for the offences punishable under Sections 143, 147, 302 read with Sections 149, 376(2)(e) and 376(2)(g) of the Indian Penal Code, 1860 (for short, 'the IPC') and sentenced them to undergo rigorous imprisonment for life with fine, in connection with Sessions Case No. 634 of 2004 arising out of F.I.R. No.59 of 2002, registered at P.S.: Godhra Town, District: Panchmahal, Gujarat. The High Court *vide* impugned order dated 04.05.2017 confirmed the conviction and sentence of the Trial Court. Aggrieved, the appellants are before us.

3) We have heard the learned Senior Counsel appearing for the appellants, the learned Additional Solicitor General appearing for the respondent(s) and have also perused the material placed on record.

4) The learned Senior Counsel for the appellants submits that the appellants have been under incarceration for more than seventeen years. One of the appellants has not been named in the F.I.R. and has been implicated after a substantial

period of nearly three years after the occurrence.

5) Incidentally, it is submitted that one of the appellants is severely handicapped.

6) The learned A.S.G. for the respondent(s) vehemently opposed the contentions raised by the learned Senior Counsel for the appellants, on the premise that both the Courts below have taken into consideration the relevant material brought on record, especially when the offence committed is so serious.

7) Having heard the parties, suffice it to state that the appellants have been under incarceration for a period of more than seventeen years, and also the fact remains that one of the appellants has a severe handicap. Certainly, there are issues to be decided in the appeal, both on fact and law.

8) In view of the above and considering the issues involved in this appeal, we suspend the sentence and grant bail to the appellants on such terms and conditions as may be imposed by the concerned Trial Court.

9) List the appeal for hearing in its due course.

(SHUBHAM SONI)
COURT MASTER (SH)

(POONAM VAID)
ASSISTANT REGISTRAR