HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL MISC. WRIT PETITION No. - 15489 of 2025

Lakhan @ Ram Lakhan

.....Petitioner(s)

Versus

State Of U.P. And 3 Others

.....Respondent(s)

Counsel for Petitioner(s)	:	Anand Prakash Yadav, Krishna Yadav
Counsel for Respondent(s)	:	Rahul Srivastava, Ashish Mishra, G.A.

Court No. - 47

HON'BLE RAJEEV MISRA, J.
HON'BLE DR. AJAY KUMAR-II, J.

1. Heard Mr. Anand Prakash Yadav, the learned counsel for petitioner, the learned A.G.A. representing State-respondents 1 & 2 and Mr. Rahul Srivastava, the learned counsel representing respondents 3 and 4.

2. Counter affidavit filed on behalf of State-respondents by the learned A.G.A. in Court today, is taken on record.

3. After hearing the learned counsel for parties and upon perusal of record, we find that there is no denial of the fact that petitioner was acquitted of the charge alleged against him vide judgment and order dated 02.05.2025 passed by this Court in Criminal Appeal No. 2781 of 1982 (Lakhan and others Vs. State of U.P.). However, subsequent to the order dated 02.05.2025, the petitioner was ultimately released from jail on 20.05.2025 i.e. after an expiry of a period of 18 days.

4. It is further clear from the record that petitioner is a resident of District Kaushambi. During the pendency of aforementioned criminal appeal District Allahabad was bifurcated and District Kaushambi was newly created. Resultantly, petitioner was transferred from Central Jail Naini to District Jail Kaushambi. The communication with regard to release of petitioner was issued by the Registrar (Compliance) of this Court to CJM Allahabad. Thereafter, the CJM Allahabad referred the matter to the Court concerned. Court below sent the requisite paper to Central Jail Naini but subsequently it was discovered that since the detenue has been transferred to District Kaushambi communication was thereafter sent to District Kaushambi. It is on account of above reason that petitioner was released after an expiry of

period of 18 days from the date of judgment and order passed by this Court.

5. Considering the aforesaid facts and circumstances of the case, we find that there is no deliberate negligence or latches on the part of respondents 3 and 4 regarding the release of petitioner. In view of above, no mala fide can be inferred in the conduct of respondents 3 and 4.

6. As a result, the present writ petition fails and is liable to be dismissed.

7. It is, accordingly, **dismissed.**

October 29, 2026
Imtiyaz

(Dr. Ajay Kumar-II,J.) (Rajeev Misra,J.)

Digitally signed by :-
IMTIYAZ AHMAD
High Court of Judicature at Allahabad