



2026:AHC-LKO:40344

**HIGH COURT OF JUDICATURE AT ALLAHABAD
LUCKNOW**

APPLICATION U/S 482 No. - 2241 of 2026

Budhpal Singh

.....Applicant(s)

Versus

State Of U.P. Thru. Prin. Secy. Home Deptt. Govt.
Lko. And Another

.....Opposite
Party(s)

Counsel for Applicant(s)	:	Amit Kumar Awasthi
Counsel for Opposite Party(s)	:	G.A.

Court No. - 11

HON'BLE PRAVEEN KUMAR GIRI, J.

1. Learned counsel for the applicant submits that he has filed the instant application under Section 482 Cr.P.C. with the relief which has been mentioned in the prayer clause of the application.

2. The relief which has been mentioned in the application is delineated below:-

"For the facts and circumstances as stated in the accompanying affidavit, it is expedient and necessary in the interest of justice that this Hon'ble Court may kindly be directed to respondent no. 2 for concurrently running of sentence imposed in five cases arising out in Case Crime No. 525/2007, Case Crime No. 540/2007, Case Crime No. 66/2011, Case Crime No. 174/2020 & Case Crime No. 42/2007 related to P.S Pasgawan, District Kheri wherein the applicant was sentenced in three cases on admitting the guilt under plea bargaining, in the interest of justice.

It is further most respectfully prayed that this Hon'ble Court may kindly be pleased to stay the fine imposed by the trial court wherein the applicant was sentenced in three cases on admitting the guilt under plea bargaining."

3. Learned counsel for the applicant submits that the applicant was convicted in Sessions Trial No. 920 of 2008, State of U.P. Vs. Budhpal

Singh, arising out of Case Crime No. 525 of 2007, under Sections 307, 504 I.P.C., Police Station Pasgawan, District Kheri and against the conviction order dated 16.08.2022, the applicant preferred Criminal Appeal No. 900 of 2023 (Budhpal Singh vs. State of U.P. thru. Prin. Secy. Home Civil Sectt. Lko.) before this Hon'ble Court. He further submits that this Hon'ble Court, vide order dated 19.11.2025, granted bail to the applicant and pursuant thereto, the applicant furnished personal bond of Rs. 25,000/- along with two sureties thereafter, the release warrant was issued by the concerned court and forwarded to the jail authorities on 24.02.2026. However, the applicant could not be released on the ground that he had not completed all the sentences awarded by the trial court vide order dated 18.03.2023 in Case No. 74 of 2020 arising out of Case Crime No. 66 of 2011 under Section 4/25 Arms Act and in Case No. 60 of 2020 arising out of Case Crime No. 42 of 2007 under Section 3/25 Arms Act as well as in Case No. 125 of 2021 arising out of Case Crime No. 174 of 2020 under Section 60 of the Excise Act.

4. Learned counsel further submits that in all the aforesaid three cases, the applicant was sentenced two years' imprisonment along with fine of Rs. 1,000/- in each case. However, the applicant is in jail since 18.03.2023 and has already undergone more than three years of incarceration up to now. However, the jail authorities are treating the sentences as consecutive and are insisting that the applicant has to undergo six years' imprisonment from 18.03.2023.

5. Learned counsel for the applicant submits that as per Section 427 Cr.P.C., the applicant has completed two years in each and every case crime number as well as criminal trial, therefore, the applicant has completed all the sentences. So far as the amount of fine is concerned, the total amount of fine is Rs. 3,000/- and the applicant is ready to deposit the same within a month after release from jail.

6. Learned A.G.A., Sri Vinay Kumar Sahi, submits that there is no specific direction of the trial court that all the sentences awarded in the aforesaid cases shall run concurrently and, therefore, the jail authorities have not released the applicant.

7. This Court, invoking inherent jurisdiction as provided under Section

482 Cr.P.C. and considering the submissions advanced by learned counsel for the parties and having regard to the provisions of Section 427 Cr.P.C., releases the applicant- Budhpal Singh, treating that the applicant has served the entire sentence and no further claim shall be made by the applicant in respect of any compensation for the excess incarceration undergone, and the same is admitted by learned counsel for the applicant.

8. The applicant shall deposit the total fine amount of Rs. 3,000/- within 30 days from the date of his release.

9. So far as Sessions Trial No. 920 of 2008 arising out of Case Crime No. 525 of 2007 under Sections 307, 504 I.P.C. is concerned, the applicant has already furnished bail bonds and sureties and shall be released in that very sections also but the appeal in respect of the same, which is pending, shall be listed and heard on its own merits.

10. With the above directions, the application is **disposed of**.

11. Accordingly, the Chief Judicial Magistrate, Lakhimpur Kheri, shall direct the concerned jail authorities to release the applicant forthwith in all the aforesaid three cases relating to two cases under the Arms Act and one case under the Excise Act.

(Praveen Kumar Giri,J.)

June 5, 2026

K.Tiwari