OFFICE OF THE PRINCIPAL DISTRICT JUDGE :: KURNOOL

DIS.NO. 3565/ESTT/2026. DATED:22-06-2026

The Hon'ble High Court's letter in ROC No.586/SO/2026, dated:20-06-2026 along with the copy of the Order dt.17-03-2026 in Criminal Petition No.12846 of 2025, is herewith communicated, for information and compliance of the directions issued therein, for onward submission to the Hon'ble High Court of A.P. as directed.

PRINCIPAL DISTRICT JUDGE
KURNOOL.

To
All Judcial Officers in Kurnool District.
The Translator, Principal District Court, Kurnool

Y.V.S.B.G. PARDHA SARADHI
REGISTRAR GENERAL

AMARAVATI
(Off) :0863 2372613
(Telefax):0863 2372631

ROC No.586/SO/2026 **Dated:20.06.2026**

To
All the Principal District Judges
in Andhra Pradesh.

Sir/Madam,

Sub: High Court of Andhra Pradesh – Copy of order dt.17.03.2026 in Criminal Petition No. 12846 of 2025 of High Court of Andhra Pradesh –Communicated – Reg.

Ref: Order dt.17.03.2026 in Criminal Petition No. 12846 of 2025 of High Court of Andhra Pradesh.

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Adverting to the subject and reference cited, as directed, I am to forward herewith copy of order dt.17.03.2026 in Criminal Petition No. 12846 of 2025 of High Court of Andhra Pradesh, for information and for appropriate sensitization regarding necessity of verifying the pendency or disposal of similar bail applications before different forums so as to maintain judicial discipline and avoid conflicting orders.

Further, I also request you communicate the same to all the Judicial Officers in your Unit and to the Presiding Officers of Labour Courts/Tribunals in the District working under the control of the High Court, for information and compliance of the directions issued therein.

Yours sincerely,

Y.V.S.B.G. Pardha Saradhi
REGISTRAR GENERAL

Encl: As stated.

APHC010671312025

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI

TUESDAY, THE SEVENTEENTH DAY OF MARCH
TWO THOUSAND AND TWENTY SIX

PRESENT
THE HONOURABLE DR JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION NO: 12846 OF 2025

Between:

The State of Andhra Pradesh, Through the Station House Officer, Jangareddygudem PS, Krishna District, Represented by the Public Prosecutor, High Court of A.P., Amaravati.

...Petitioner/Complainant

AND

1. Shaik Khasim, S/o. Yakub Basha, Aged 24 years, R/o. Rear side of HP Petrol Bunk, Jangareddigudem, Eluru District.
2. Shaik Nagul Meera, S/o. Yakub Basha, aged 30 years, R/o. Subbammapeta, Jangareddigudem, Eluru District.
3. Vasamsetti Rama Chandra Pavan Kumar, S/o. Skylab, aged 18 years, R/o. Opposite to Padma Theater, Jangareddigudem, Eluru District.

...Respondents/Accused Nos. 1 to 3

Petition filed under Section 483 of BNSS, praying that in the circumstances stated in the Memorandum of Grounds of Criminal Petition, the High Court may be pleased to cancel the bail granted to the Respondents/Accused 1 to 3 in connection with Crime No. 315 of 2025 of Jangareddigudem Police Station, by Order dated 01.12.2025 passed in Crl.M.P.No.161 of 2025 by the IX Additional District and Sessions Judge, West Godavari, Kovvur.

Counsel for the Petitioner : THE PUBLIC PROSECUTOR
Counsel for Respondents : SRI UDAY KUMAR VAMPUGADAVALA, LEGAL AID
The Court made the following ORDER :

IN THE HIGH COURT OF ANDHRA PRADESH, AMARAVATI

CRIMINAL PETITION No.12846 of 2025

Between:

THE STATE OF ANDHRA PRADESH, THROUGH THE STATION HOUSE OFFICER, JANGAREDDYGUDEM PS, KRISHNA DISTRICT, REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF A.P., AMARAVATI.

...PETITIONER/ACCUSED

AND

1. SHAIK KHASIM, S/O. YAKUB BASHA, AGED 24 YEARS, R/O. REAR SIDE OF HP PETROL BUNK, JANGAREDDIGUDEM, ELURU DISTRICT.
2. SHAIK NAGUL MEERA, S/O. YAKUB BASHA, AGED 30 YEARS, R/O. SUBBAMMAPETA, JANGAREDDIGUDEM, ELURU DISTRICT.
3. VASAMSETTI RAMA CHANDRA PAVAN KUMAR, S/O.SKY'LAB, AGED 18 YEARS, R/O. OPPOSITE TO PADMA THEATER, JANGAREDDIGUDEM, ELURU DISTRICT.

...RESPONDENT/COMPLAINANT(S):

DATE OF JUDGMENT PRONOUNCED: **17.03.2026**

SUBMITTED FOR APPROVAL:

THE HON'BLE DR. JUSTICE VENKATA JYOTHIRMAI PRATAPA

1. Whether Reporters of Local Newspapers may be allowed to see the judgment? Yes/~~No~~
2. Whether the copies of judgment may be marked to Law Reporters / Journals? ~~Yes~~/No
3. Whether Her Lordship wish to see the fair copy of the Judgment? Yes/No

* THE HON'BLE DR.JUSTICE VENKATA JYOTHIRMAI PRATAPA

+ CRIMINAL PETITION No.12846 of 2025

% 17.03.2026

Between:

THE STATE OF ANDHRA PRADESH, THROUGH THE STATION HOUSE OFFICER, JANGAREDDYGUDEM PS, KRISHNA DISTRICT, REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF A.P., AMARAVATI.

...PETITIONER/ACCUSED

AND

1. SHAIK KHASIM, S/O. YAKUB BASHA, AGED 24 YEARS, R/O. REAR SIDE OF HP PETROL BUNK, JANGAREDDIGUDEM, ELURU DISTRICT.
2. SHAIK NAGUL MEERA, S/O. YAKUB BASHA, AGED 30 YEARS, R/O. SUBBAMMAPETA, JANGAREDDIGUDEM, ELURU DISTRICT.
3. VASAMSETTI RAMA CHANDRA PAVAN KUMAR, S/O.SKYLAB, AGED 18 YEARS, R/O. OPPOSITE TO PADMA THEATER, JANGAREDDIGUDEM, ELURU DISTRICT.

...RESPONDENT/COMPLAINANT(S):

! Counsel for Petitioner : Ms.K.Priyanka Lakshmi, Assistant Public Prosecutor.

^ Counsel for Respondents : Sri V.Uday Kumar, Legal Aid Counsel

< Gist:

> Head Note:

? Cases referred:

1. 2025 SCC OnLine SC 1702
2. 2022 SCC OnLine SC 496
3. (2011) 6 SCC 189
4. 2026 INSC 161
5. (2004) 7 SCC 528
6. (2024) 10 SCC 768
7. Bail Application No.2782 of 2025
8. CRM-M No.52620 of 2019, dated 11.03.2022
9. 2026 SCC OnLine SC 188

This Court made the following:

\APHC010671312025

IN THE HIGH COURT OF ANDHRA PRADESH
AT AMARAVATI [3396]
(Special Original Jurisdiction)

TUESDAY, THE SEVENTEENTH DAY OF MARCH

TWO THOUSAND AND TWENTY SIX

PRESENT

THE HONOURABLE DR. JUSTICE VENKATA JYOTHIRMAI PRATAPA

CRIMINAL PETITION No: 12846/2025

Between:

THE STATE OF ANDHRA PRADESH, THROUGH THE STATION HOUSE OFFICER, JANGAREDDYGUDEM PS, KRISHNA DISTRICT, REPRESENTED BY THE PUBLIC PROSECUTOR, HIGH COURT OF A.P., AMARAVATI.

...PETITIONER/ACCUSED

AND

1. SHAIK KHASIM, S/O. YAKUB BASHA, AGED 24 YEARS, R/O. REAR SIDE OF HP PETROL BUNK, JANGAREDDIGUDEM, ELURU DISTRICT.
2. SHAIK NAGUL MEERA, S/O. YAKUB BASHA, AGED 30 YEARS, R/O. SUBBAMMAPETA, JANGAREDDIGUDEM, ELURU DISTRICT.
3. VASAMSETTI RAMA CHANDRA PAVAN KUMAR, S/O.SKYLAB, AGED 18 YEARS, R/O. OPPOSITE TO PADMA THEATER, JANGAREDDIGUDEM, ELURU DISTRICT.

...RESPONDENT/COMPLAINANT(S):

Counsel for the Petitioner/accused:

1. PUBLIC PROSECUTOR

Counsel for the Respondent/complainant(S):

1. UDAY KUMAR VAMPUGADAVALA
2. LEGAL AID

The Court made the following:

ORDER:

1. The instant petition under Section 483(3) of the Bharatiya Nagarik Suraksha Sanhita, 2023[1] has been filed by the State seeking cancellation of

[1] for short 'BNSS'

the bail granted to Respondents/Accused Nos.1 to 3, *vide* Order dated 01.12.2025 in Crl.M.P.No.161/2025 by learned IX Additional District and Sessions Judge, West Godavari, Kovvur, in connection with Crime No.315 of 2025 of Jangareddigudem Police Station, for the offences under Sections 103(1) and 140(1) read with 3(5) of Bharatiya Nyaya Sanhita, 2023.[2]

2. The case of the prosecution, in brief, is that on 03.10.2025 at about 10.00 p.m., deceased was allegedly kidnapped from Yanadula Colony of Uppalametta and was taken to an isolated place near Sri Rama Distilleries, Jangareddigudem, he was tied with a towel, and was stabbed in the throat and abdomen with a sharp weapon, resulting his instantaneous death.

Submissions made at the Bar

3. Heard Ms.K.Priyanka Lakshmi, learned Assistant Public Prosecutor for Petitioner/State. Respondents/Accused Nos.1 to 3 appeared before this Court and submitted that they have no means to engage the counsel to defend their case. Hence, this Court appointed Sri V. Uday Kumar, learned counsel as Legal Aid Counsel to represent the case of the Respondents.

4. Learned Assistant Public Prosecutor would submit that the learned trial Judge, without taking into consideration the nature and gravity of the offences and the antecedents of Accused Nos.,1 to 3, granted bail to them. It is further submitted that Accused Nos.1 to 3 committed a brutal offence and that the learned trial Judge failed to consider the fact that the RFSL report is still pending, the investigation is at a crucial stage, and the charge sheet has not yet been filed. It is stated that this Court, considering the gravity and nature of

[2] for short 'BNS'

the offence committed in the present crime, had earlier refused to grant bail to Accused No.2. It is further submitted that, if the accused are released on bail, there would be an imminent threat to the de facto complainant and other witnesses. Hence, he prayed to cancel the bail.

5. *Per contra,* learned Legal Aid Counsel for Respondents/Accused Nos.1 to 3 would submit that bail was granted after due consideration of the material on record and that the order does not suffer from any illegality or perversity. It is further submitted that the pendency of the RFSL report and non-filing of the charge sheet are not grounds for cancellation of bail, as the custody of Accused Nos.1 to 3 is no longer required. It is also submitted that the alleged apprehension of threat to witnesses is baseless, and there is no material to show misuse of bail or violation of the bail conditions. Hence, in the absence of any supervening circumstances, the petition seeking cancellation of bail is liable to be dismissed.

Point for Determination

6. Having heard the submissions on both the sides and on perusal of the material on record, the following question emerges for determination

Whether the order passed by the learned trial Court granting bail to Respondents/Accused Nos.1 to 3 suffers from any illegality, perversity, or non-consideration of material facts warranting interference by this Court by cancelling the bail granted to them?

Determination by the Court

7. When the matter was taken up for hearing, it came to the notice of this Court that Accused No.2 had earlier filed a regular bail application before this Court on 13.11.2025, and the same was dismissed by a learned Single Judge of a Coordinate Bench of this Court on 26.11.2025 in Crl.P.No.11849 of 2025. During the pendency of the said petition, Accused Nos.1 to 3 also filed a regular bail application in Crl.M.P.No.161 of 2025 before the learned trial Judge, and the same was allowed *vide* the impugned order. It was also brought to the notice of this Court that the bail applications filed by Accused Nos.1 and 3 are pending before this Court.

8. In these circumstances, this Court called for a report from the concerned Station House Officer regarding the assistance rendered to the Public Prosecutor before the District Court as well as to the Public Prosecutor before this Court in respect of the similar bail applications moved by the said accused. In response thereto, the concerned SHO submitted his report stating that, due to non-availability of information regarding the bail applications filed by Accused Nos.1 to 3 before the trial Court as well as this Court, he could not furnish the relevant information to this Court through written instructions, and that the omission was neither willful nor wanton.

9. As directed by this Court, the Additional Public Prosecutor of the IX Additional District and Sessions Court, Kovvur, also submitted his report stating that, due to non-disclosure of any information regarding the filing of similar bail applications, he was unaware of the same and had advanced

arguments before the trial Court based on the record and the instructions furnished by the Police.

10. As also seen from the material placed on record, the wife of Accused No.2 submitted an affidavit stating that Accused Nos.1 to 3 had filed a bail application before the Court of the IX Additional District and Sessions Judge, Kovvur, through a counsel at Kovvur. The said application was kept pending and adjourned from time to time for want of the C.D. file. Subsequently, on legal advice, she contacted a practicing advocate of the High Court of Andhra Pradesh and filed a bail application through him on behalf of her husband, i.e., Accused No.2. Thereafter, when the bail application before the trial Court came up for hearing, she informed the counsel appearing before the High Court about the same, and he, in turn, stated that he would withdraw the bail petition after receipt of the balance fee. However, instead of withdrawing the said petition before this Court, the learned Advocate proceeded with the matter, which was eventually dismissed on 26.11.2025. Thereafter, the learned trial Judge granted bail to Accused Nos.1 to 3 on 01.12.2025, considering that they had been in judicial custody for 54 days.

11. The record reveals certain procedural lapses on the part of the prosecution machinery as well as the learned trial Judge, which merit some observations. Insofar as the learned Public Prosecutor before the trial Court is concerned, it appears that he argued the matter based on the material and instructions furnished to him by the Police. The fact that a similar bail

application filed by Accused No.2 was already pending before this Court, and later dismissed, was not brought to his notice. This indicates a lack of effective coordination and communication between Investigating and Prosecuting Agencies. While no *mala fides* can be attributed to the learned Public Prosecutor, the assistance rendered to the Court was incomplete due to absence of full and proper instructions.

12. Furthermore, the role of Police, particularly the Station House Officer, reflects a deficiency in maintaining and conveying crucial case-related information. The SHO has stated that due to non-availability of information regarding parallel bail proceedings, he could not inform the Public Prosecutors either before the trial Court or this Court. Such an explanation, though accepted as not wilful, is an indication of negligence in tracking the progress of the case and ensuring that all relevant developments are promptly communicated. In serious offences of this nature, the Investigating Agency is expected to maintain diligence and provide comprehensive instructions to enable effective opposition to bail.

13. The allegations against Accused Nos.1 to 3 are grave in nature and relate to a brutal and premeditated murder. The prosecution case discloses that the deceased was allegedly kidnapped, taken to a secluded place, tied, and thereafter subjected to fatal injuries, which *prima facie* reflects the seriousness and heinous nature of the offence. The record further reveals that, at the time of granting bail, the investigation had not reached completion, as the RFSL report was still awaited and the charge sheet had not yet been

filed. Despite these material circumstances, the learned trial Judge granted bail without properly appreciating the gravity of the offence, the antecedents of the Accused, and the crucial stage of investigation. It is also evident that the trial Court was not apprised of the fact that a similar bail application filed earlier had been dismissed by this Court, which was a relevant circumstance requiring due consideration. In such circumstances, the discretion exercised by the learned trial Judge in granting bail cannot be said to be based on a proper and comprehensive evaluation of the material on record.

14. It is a settled law *vide* a catena of decisions from the Hon'ble Supreme Court and this Court that the following illustrative list of principles are to be taken into consideration while considering an application for bail:

a. the nature of accusation and the severity of the punishment in the case of conviction and the nature of the materials relied upon by the prosecution;

b. reasonable apprehension of tampering with the witnesses or apprehension of threat to the complainant or the witnesses;

c. reasonable possibility of securing the presence of the accused at the time of trial or the likelihood of his abscondence;

d. character, behaviour and standing of the accused and the circumstances which are peculiar to the accused;

e. larger interest of the public or the State and similar other considerations.

15. It is essential now to discuss a few precedents on cancellation of bail. Very recently, the Hon'ble Supreme Court in ***State of Karnataka v. Sri Darshan***[3], while cancelling the bail granted to the Accused in a murder case, held as follows:

> **"20.4.1. It is well settled that the mere filing of a charge-sheet does not confer an indefeasible right to bail. Likewise, the mere prospect of a prolonged trial cannot, by itself, outweigh the gravity of the offence, the incriminating material gathered during investigation, or the likelihood of tampering with witnesses.**
>
> **20.4.2.** In Kalyan Chandra Sarkar vs. Rajesh Ranjan (supra), this Court categorically held that
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> "The High Court could not have allowed the bail application on the sole ground of delay in the conclusion of the trial without taking into consideration the allegation made by the prosecution in regard to the existence of prima facie case, gravity of offence, and the allegation of tampering with the witness by threat and inducement when on bail. ... non-consideration of the same and grant of bail solely on the ground of long incarceration vitiated the order..."
>
> **20.4.3.** In Brijmani Devi v. Pappu Kumar (supra), this Court held that the possibility of the accused absconding or threatening witnesses had a direct bearing on the fairness of the trial. In serious offences, such apprehensions – when reasonably supported by record – must weigh against the grant of bail.
>
> **24.** On a cumulative analysis, it is evident that the order of the High Court suffers from serious legal infirmities. **The order fails to record any special or cogent reasons for granting bail in a case involving charges under Sections 302, 120B, and 34 IPC. Instead, it reflects a mechanical exercise of discretion, marked by significant omissions of legally relevant facts.** Moreover, the High Court undertook an extensive examination of

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[3] 2025 SCC OnLine SC 1702

witness statements at the pre-trial stage, highlighting alleged contradictions and delays – issues that are inherently matters for the trial Court to assess through cross-examination. The trial Court alone is the appropriate forum to evaluate the credibility and reliability of witnesses. Granting bail in such a serious case, without adequate consideration of the nature and gravity of the offence, the accused's role, and the tangible risk of interference with the trial, amounts to a perverse and wholly unwarranted exercise of discretion. The well-founded allegations of witness intimidation, coupled with compelling forensic and circumstantial evidence, further reinforce the necessity for cancellation of bail. Consequently, the liberty granted under the impugned order poses a real and imminent threat to the fair administration of justice and risks derailing the trial process. In light of these circumstances, this Court is satisfied that the present case calls for the exercise of its extraordinary jurisdiction under Section 439(2) Cr.P.C."

(emphasis supplied)

16. In ***Imran v. Mohammed Bhava***[4], a three-Judge Bench of the Hon'ble Supreme Court held as follows:

*"**23**. Indeed, it is a well-established principle that once bail has been granted it would require overwhelming circumstances for its cancellation. However, this Court in its judgment in **Vipan Kumar Dhir v. State of Punjab has also reiterated, that while conventionally, certain supervening circumstances impeding fair trial must develop after granting bail to an accused, for its cancellation by a superior court, bail, can also be revoked by a superior court, when the previous court granting bail has ignored relevant material available on record, gravity of the offence or its societal impact.** It was thus observed:—*

> *"9. ..... Conventionally, there can be supervening circumstances which may develop post the grant of bail and are non conducive to fair trial, making it necessary to cancel the bail. This Court in Daulat Ram v. State of Haryana observed that:*
> *"Rejection of bail in a non-bailable case at the initial stage and the cancellation of bail so granted, have to be considered and dealt with on different basis. Very cogent*

[4] 2022 SCC Online SC 496

and overwhelming circumstances are necessary for an order directing the cancellation of the bail, already granted. Generally speaking, the grounds for cancellation of bail, broadly (illustrative and not exhaustive) are : interference or attempt to interfere with the due course of administration of Justice or evasion or attempt to evade the due course of justice or abuse of the concession granted to the accused in any manner. The satisfaction of the court, on the basis of material placed on the record of the possibility of the accused absconding is yet another reason justifying the cancellation of bail. However, bail once granted should not be cancelled in a mechanical manner without considering whether any supervening circumstances have rendered it no longer conducive to a fair trial to allow the accused to retain his freedom by enjoying the concession of bail during the trial."

10. These principles have been reiterated time and again, more recently by a 3 Judge Bench of this Court in X v. State of Telegana and Another.

11. ***In addition to the caveat illustrated in the cited decision(s), bail can also be revoked where the court has considered irrelevant factors or has ignored relevant material available on record which renders the order granting bail legally untenable. The gravity of the offence, conduct of the accused and societal impact of an undue indulgence by Court when the investigation is at the threshold, are also amongst a few situations, where a Superior Court can interfere in an order of bail to prevent the miscarriage of justice and to bolster the administration of criminal justice system...***"

24. xxxxxxx

25. xxxxxxx

26. ***Thus, while considering cancellation of bail already granted by a lower court, would indeed require significant scrutiny at the instance of superior court, however, bail when granted can always be revoked if the relevant material on record, gravity of the offence or its societal impact have not been considered by the lower court. In such instances, where bail is granted in a mechanical manner, the order granting bail is liable to be set aside.*** *Moreover, the decisions cited herein above, enumerate certain basic principles which must be borne in mind when deciding upon an application for grant of bail. Thus, while each case has its own unique factual matrix, which assumes a significant role in determination of bail*

matters, grant of bail must also be exercised by having regard to the above-mentioned well-settled principles."

(emphasis supplied)

17. The Hon'ble Supreme Court in ***Prakash Kadam v. Ramprasad Vishwanath Gupta***[5], held that even without misuse, bail can be cancelled for grave allegations if the lower court ignored material.

18. The Hon'ble Supreme Court in ***Rakesh Mittal v. Ajay Pal Gupta @ Sonu Chaudhary***[6] observed as follows;

"15. We are also conscious of the fact that this is not a case of cancellation of bail but a challenge to the validity of an order granting bail. ***Even in cases of cancellation of bail, the power to do so is not just limited to occurrence of supervening circumstances as the Court has the inherent power and discretion to cancel the bail of an accused even in the absence of supervening circumstances*** *(See Dolat Ram and others vs. State of Haryana).* ***One of the grounds enumerated therein, as relevant for exercise of such power, is where the past criminal record and the conduct of the accused are completely ignored while granting bail.'"***

(emphasis supplied)

19. In ***Kalyan Chandra Sarkar v. Rajesh Ranjan***[7], the Hon'ble Supreme Court held as follows:

"....the High Court has given the period of incarceration already undergone by the accused and the unlikelihood of trial concluding in the near future as grounds sufficient to enlarge the accused on bail, in spite of the fact that the accused stands charged of offences punishable with life imprisonment or even death penalty. In such cases, in our opinion, the mere fact that the accused has undergone certain period of incarceration (three years in this case) by itself would not entitle the accused to being enlarged on

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5 (2011) 6 SCC 189
6 2026 INSC 161
7 (2004) 7 SCC 528

bail, nor the fact that the trial is not likely to be concluded in the near future either by itself or coupled with the period of incarceration would be sufficient for enlarging the appellant on bail when the gravity of the offence alleged is severe and there are allegations of tampering with the witnesses by the accused during the period he was on bail."

20. In ***Ajwar v. Waseem***[8], the Hon'ble Supreme Court set aside four bail orders granted by the Allahabad High Court in a murder case involving double homicide under Sections 147, 148, 149, 302, 307, 352, and 504 IPC, despite the fact that the accused had remained in custody for over two years and eight months. The Hon'ble Supreme Court found that the bail was granted without proper consideration of material facts. Accordingly, the accused were directed to surrender within two weeks.

21. Usually, this Court would be slow to interfere with an order granting bail or cancel it, but if such an order is found to be illegal or perverse or premised on material that is irrelevant, then such an order is susceptible to scrutiny and interference. In the present case, in view of the circumstances discussed *supra*, the order granting bail reflects non-consideration of relevant factors governing the exercise of discretion in matters relating to bail.

22. Coming back to the peculiarities of simultaneous bail proceedings before this Court and the trial court, it is essential to discuss a few similar situations from the other Hon'ble High court.

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[8] (2024) 10 SCC 768

23. In ***Saahil @ Sahil v. State (NCT of Delhi)***[9] before the Hon'ble Delhi High Court, the accused charged with offences under the IPC and POCSO Act for allegedly sexually assaulting a minor girl, initially filed a bail application before the Trial Court, which was dismissed. Thereafter, he approached the High Court seeking regular bail. During the pendency, the victim and her father turned hostile during trial. Taking advantage of this development, the accused filed another bail application before the Trial Court without disclosing that a similar bail petition was already pending before the High Court. The Trial Court granted bail. When the matter came before the High Court, it observed that suppression of the pendency of a similar bail application amounted to abuse of the judicial process and reflected lack of candour on the part of the accused and his counsel. A learned Single Judge of the Delhi High Court further noted that judicial propriety required the subordinate court not to entertain a parallel bail application when the matter was pending before the High Court. However, considering that the victim had turned hostile and that bail had been granted on merits, the High Court declined to cancel the bail already granted. Nevertheless, the High Court emphasized the need for transparency in bail proceedings and directed that parties must disclose pendency of similar applications before other courts to avoid forum shopping and conflicting orders.

[9] BAIL APPLN. 2782/2025

24. In ***Kulwant Singh @ Sajan v. State of Punjab***,[10] the Hon'ble Punjab and Haryana High Court dealt with the issue of simultaneous bail applications filed before different courts without proper disclosure. The accused persons had approached the High Court seeking bail and, during pendency of those petitions, also moved fresh bail applications before the Sessions Courts by suppressing the fact of the pending High Court proceedings. In some instances, affidavits were filed stating that no similar applications were pending elsewhere. The Sessions Courts granted bail on merits. The High Court strongly deprecated the practice of forum shopping and suppression of material facts, observing that litigants and advocates are under an obligation to approach courts with complete honesty and fairness. The High Court held that such conduct adversely affects judicial discipline and may lead to conflicting judicial orders. However, the High Court distinguished between cancellation of bail and impropriety in obtaining bail, and held that since the bail orders were passed on merits and there was no allegation of misuse of liberty, cancellation of bail was not warranted solely on the ground of suppression. The High Court accordingly declined to cancel bail but laid down procedural safeguards requiring mandatory disclosure of similar pending bail applications and proper verification by the prosecution and courts to prevent abuse of process.

25. In ***Zeba Khan v. State of U.P.,***[11] the Hon'ble Supreme Court had laid down as follows;

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[10] CRM-M No.52620 of 2019 dated March 11, 2022

[11] 2026 SCC OnLine SC 188

"**47.** As repeatedly observed by this Court, bail applications are examined at multiple stages - from the trial Court to the High Court and ultimately this Court - where courts are often constrained to take a *prima facie* view on incomplete or selectively presented records. Non-disclosure of material aspects such as criminal antecedents, prior bail rejections, duration of custody, compliance with constitutional and statutory safeguards, and the progress of trial may result in the unwarranted grant of bail, or conversely, the prolonged incarceration of accused persons despite substantial custody having already been undergone.

48. Thus, **this Court is of the view that every petitioner or applicant seeking bail, at any stage of proceedings, is under an obligation to disclose all material particulars, including criminal antecedents and the existence of any coercive processes such as issuance of non-bailable warrants, declaration as a proclaimed offender, or similar proceedings, duly supported by an affidavit, so as to promote uniformity, transparency and integrity in bail adjudication.**

49. Additionally, in the interest of justice, the following illustrative disclosure framework is provided, which is purely recommendatory in nature, evolved in continuation of, and consonance with the principles laid down by this Court concerning full and candid disclosure in bail proceedings. The framework is intended to act as a facilitative guide, leaving it open to the concerned courts to adopt, adapt, or refine the same in accordance with their procedural framework and the exigencies of individual cases.

(A) CASE DETAILS

- FIR Number & Date
- Police Station, District and State
- Sections invoked
- Maximum punishment prescribed

(B) CUSTODY & PROCEDURAL COMPLIANCE

- Date of Arrest
- Total period of custody undergone

(C) STATUS OF TRIAL

- Stage of proceedings (Investigation/Chargesheet/Cognizance/Framing of charges/Trial)
- Total number of witnesses cited in the chargesheet
- Number of prosecution witnesses examined

(D) CRIMINAL ANTECEDENTS

- FIR No. & Police Station
- Sections
- Status (Pending/Acquitted/Convicted)

(E) PREVIOUS BAIL APPLICATIONS

- Court
- Case No.
- Outcome of case

(F) COERCIVE PROCESSES

- Whether any Non-Bailable Warrant was issued
- Whether declared a proclaimed offender

50. The Registrar (Judicial) of this Court is directed to circulate a copy of this judgment to the Registrar Generals of all the High Courts. The High Courts may examine the feasibility of issuing appropriate administrative directions or incorporating suitable provisions in their respective Rules, consistent with their rule-making powers. A copy of this judgment shall also be circulated to the District Judiciary for guidance."

(emphasis supplied)

26. Before parting with the case, this Court feels it imperative to state that every petitioner seeking bail, as well as the learned counsel representing such petitioner is under a bounden duty to make full and fair disclosure of all material particulars, including the pendency or disposal of any previous or similar bail applications filed in respect of the same crime and the same accused before any Court. Such disclosure shall include complete

particulars of the case number, the forum before which the application is filed, and the present status or outcome thereof.

27. It shall likewise be the duty of the concerned Investigating Officer to furnish complete and accurate information relating to pending or previously decided bail applications through written instructions or status reports submitted to the learned Public Prosecutor, so that the correct factual position is placed before the Court. The learned Trial Judges shall also, before considering any application for bail, satisfy themselves from the record, the status report, or the submissions advanced by the parties as to whether any similar application seeking the same relief is pending before a superior Court or has already been adjudicated, in order to maintain judicial discipline, avoid conflicting orders, and ensure transparency.

RESULT

28. In that view of the matter, considering the seriousness of the allegations leveled against the Petitioners, the nature of the evidence collected during investigation, and the specific apprehension expressed by the prosecution regarding the possibility of influencing witnesses in the present case, this Court is of the view that, granting bail to the Petitioners /Accused Nos.1 to 3 in the nature of the present case, amounts to a perverse and wholly unwarranted exercise of discretion. Accordingly, this Court is of the considered opinion that the bail granted to the Petitioners warrants interference and is liable to be cancelled.

29. In the result, the Criminal Petition is allowed and the bail of Petitioners / Accused Nos.1 to 3 granted *vide* Order dated 01.12.2025 in Crl.M.P.No.161 of 2025 by the learned IX Additional District and Sessions Judge, West Godavari, Kovvur in connection with Crime No.315 of 2025 of Jangareddigudem Police Station, is cancelled. Petitioners / Accused Nos.1 to 3 are directed to surrender before the concerned Jurisdictional Court within one (01) week from the date of receipt of copy of this order

30. Needless to state, Accused may seek regular bail and the trial court may deal with the same on their own merits.

31. The Registry is directed to communicate a copy of this order to the Director of Prosecutions, State of Andhra Pradesh, for issuing appropriate instructions to all Public Prosecutors and Investigating Officers in the State regarding mandatory disclosure of previous and pending bail applications.

32. The Registry shall further communicate a copy of this order to all Principal District Judges in the State and to the Director, Andhra Pradesh Judicial Academy for circulation among the Judicial Officers concerned and for appropriate sensitization regarding the necessity of verifying the pendency or disposal of similar bail applications before different forums so as to maintain judicial discipline and avoid conflicting orders.

As a sequel thereto, miscellaneous petitions pending, if any, shall stand closed.

SD/- SK.MOHAMMED RAFI
DEPUTY REGISTRAR

//TRUE COPY//

For

SECTION OFFICER

One Fair Copy to the Honourable Dr. Justice Venkata Jyothirmai Pratapa

(For her Lordships Kind Perusal)

To,

1. The Registrar General, High Court of Andhra Pradesh.

2. The Director, Andhra Pradesh Judicial Academy, D.No.377/2, Near Murugan Hotel, Kaza, Mangalagiri, Guntur District - 522503
3. The IX Additional District and Sessions Judge, West Godavari, Kovvur, West Godavari District.
4. The Director of Prosecutions, State of Andhra Pradesh, Governorpet, Vijayawada, Krishna District.
5. The Judicial Magistrate of First Class, Jangareddigudem, West Godavari District.
6. The Jail Superintendent, Sub-Jail, Eluru, West Godavari District.
7. The Station House Officer, Jangareddigudem Police Station, West Godavari District.
8. One CC to Sri Uday Kumar Vampugadavala, Advocate,Legal Aid [OUT]
9. Two CC's to the Public Prosecutor, Advocate [OPUC]
10. The Section Officer, Criminal Section, High Court of A.P.
11. Nine (9) L.R.Copies
12. The Under Secretary, Union of India, Ministry of Law, Justice and Company Affairs, New Delhi.
13. The Secretary, Andhra Pradesh High Court Advocates' Association Library, High Court Buildings, Amaravathi
14. Two CD Copies

GPC

TAC

HIGH COURT

DATED: 17/03/2026

ORDER

CRLP NO. 12846 OF 2025



ALLOWING THIS CRIMINAL PETITION