

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. OF 2025  
(@SPECIAL LEAVE PETITION (Crl.) NO. 15296 OF 2024)

VINAY KUSHWAHA

...APPELLANT(S)

VERSUS

STATE OF MADHYA PRADESH & ANR.

....RESPONDENT(S)

O R D E R

Leave granted.

We have heard learned counsel appearing for the respective parties.

We are not inclined to interfere in the matter with regard to the aspect of conviction which has been concurrently adjudicated by both the Courts. However, we find that the High Court was not right while converting the death penalty into life sentence to say that the life sentence will be for the "remainder of the life". This would result in the appellant losing his right to seek remission of his sentence.

In the circumstances, we modify that portion of the order to say simply, that it is life sentence. Liberty is reserved to the appellant herein to seek remission of his sentence in accordance with law.

Contd..

We further find that the High Court has affirmed the order of the Trial Court and held that the sentences to run consecutively instead of concurrently.

Learned counsel for the appellant submitted that as a result the appellant would not be entitled to seek remission of his sentence on completion of fourteen years of incarceration. In the circumstances, she pleaded that the sentences may run concurrently and not consecutively.

Learned counsel appearing for the respondent/State submitted that having regard to the facts of the present case, appropriate orders may be made in this appeal. He however submitted that there is no merit in this appeal.

We take note of the submissions made at the Bar and we modify the direction of the High Court with regard to the sentences being consecutive and instead, we hold that the sentences run concurrently.

The Appeal is allowed-in-part in the aforesaid terms.

Pending application (s) shall stand disposed of.

.....J.  
[B.V. NAGARATHNA]

.....J.  
[SANJAY KAROL]

NEW DELHI  
APRIL 23, 2025

**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). 15296/2024**

**[Arising out of impugned final judgment and order dated 19-12-2023 in CRLA No. 7954/2023 passed by the High Court of Madhya Pradesh Principal Seat at Jabalpur]**

**VINAY KUSHWAHA**

**Petitioner(s)**

**VERSUS**

**STATE OF MADHYA PRADESH & ANR.**

**Respondent(s)**

**IA No. 243204/2024 - EXEMPTION FROM FILING O.T.**

**Date : 23-04-2025 This matter was called on for hearing today.**

**CORAM :**

**HON'BLE MRS. JUSTICE B.V. NAGARATHNA  
HON'BLE MR. JUSTICE SANJAY KAROL**

**For Petitioner(s) :Ms. Pragati Neekhara, AOR  
Mr. Atul Dong, Adv.  
Mr. Aniket Patel, Adv.**

**For Respondent(s) : Mr. Bhupendra Pratap Singh, D.A.G.  
Ms. Mrinal Gopal Elker, AOR  
Mr. Mukesh Kumar Verma, Adv.  
Mr. Aditya Chaudhary, Adv.  
Ms. Shruti Verma, Adv.**

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

**Leave granted.**

**The Appeal is allowed-in-part in terms of the signed  
order.**

**Pending application (s) shall stand disposed of.**

**(NEETU SACHDEVA)  
ASTT. REGISTRAR-cum-PS**

**(DIVYA BABBAR)  
COURT MASTER (NSH)**

**(Signed order is placed on the file)**