



HIGH COURT OF JUDICATURE AT ALLAHABAD

CRIMINAL APPEAL No. - 7280 of 2022

Umakant Yadav

.....Appellant(s)

Versus

State of U.P.

.....Respondent(s)

Counsel for Appellant(s) : Ajay Singh Yadav, Devbratt Yadav,
Dinesh Kumar, Pramod Kumar
Srivastava, Rajrshi Gupta, Ram Pratap
Yadav, Sushmita Raghav
Counsel for Respondent(s) : G.A.

Court No. - 47

**HON'BLE SIDDHARTH, J.
HON'BLE SANTOSH RAI, J.**

Order on Modification Application No. 6/2025.

Heard learned counsel for the appellant and learned AGA for State.

This modification application has been filed praying for stay of the conviction and sentence awarded to the appellant during the pendency of this appeal.

Learned counsel for the appellant has submitted that the appellant is a political person and intends to contest the upcoming elections. He has relied upon the judgments of Apex Court in the cases of **Navjot Singh Siddhu Vs. State of Punjab and Anr., 2007(1)Supreme 557** and **Lok Prahari Vs. Election Commission of India and Ors. AIR 2018 SC 4675**. He has submitted that the appellant is also entitled to get benefit of aforesaid judgments passed in the cases of politicians whose conviction were stayed by the Apex Court since they wanted to contest the election. The appellant has been Member of Parliament from 2004 to 2009 and Member of Legislative Assembly of the State from the year 1991 to 1993, 1993 to 1996 and 1996 to 2002.

Learned AGA has opposed the submissions made by learned counsel for the appellant and has submitted that keeping the gravity of offence committed by the appellant, he is not entitled to grant of any relief further

than the grant of bail by this Court on 13.08.2025

After hearing the rival submissions and the authorities cited at Bar, it is hereby directed that the conviction of the appellant and the sentence awarded to him by the trial court shall remain suspended during the pendency of above noted criminal appeal.

Modification application is **allowed**.

(Santosh Rai,J.) (Siddharth,J.)

August 27, 2025
Abhishek