



CRIMINAL

# Prolonged Undertrial Detention and the Right to Speedy Trial: Supreme Court Reasserts Constitutional Balance

**AUTHOR** Durgesh Singh, Riya Rajbhar

**PUBLISHED** 9 May 2026

The Supreme Court of India in *Vaibhav Singh v. State of Uttar Pradesh* has once again drawn attention to a recurring and deeply concerning issue within the criminal justice system, namely the prolonged incarceration of undertrial prisoners. The case arose from a challenge to an order of the Allahabad High Court which had denied regular bail to the petitioner despite his having spent nearly nine years in custody without the trial reaching its conclusion.

The factual matrix reflects a situation that is not uncommon in India. The petitioner was arrested in March 2017 in connection with offences including murder and criminal conspiracy. A charge sheet was filed and the matter proceeded to trial before the Sessions Court. However, despite the passage of almost a decade, the trial remained pending and the petitioner continued to remain behind bars as an undertrial. This prolonged deprivation of liberty formed the central grievance before the Supreme Court.

The High Court, while rejecting the bail application, relied on a previous Supreme Court decision to suggest that once trial has commenced, bail should not ordinarily be granted and that courts should refrain from assessing discrepancies in evidence at that stage. The Supreme Court found this reasoning to be fundamentally flawed. It observed that the High Court had failed to appreciate the true scope and intent of the earlier judgment and had applied it in a mechanical manner without considering the surrounding circumstances.

The Supreme Court emphasized that the most significant factor in the present case was the extraordinary length of the petitioner's custody as an undertrial. The Court reiterated that the right to a speedy trial is not merely a procedural safeguard but a fundamental right guaranteed under Article 21 of the Constitution. When an accused person is made to wait indefinitely for the conclusion of trial, particularly when the delay is not attributable to him, such continued detention becomes constitutionally impermissible.

The Court also made it clear that the seriousness of the allegations, though relevant, cannot override the basic constitutional protections afforded to an individual. Even in cases involving grave offences, the State is under an obligation to ensure that trials are conducted within a reasonable time. If this obligation is not fulfilled, the continued incarceration of the accused ceases to be justified. The Court noted that it has consistently held in several earlier decisions that an undertrial cannot be kept in jail for an indefinite period merely because the allegations against him are serious.

In a significant observation, the Court expressed strong disapproval of the High Court's approach and remarked that the denial of bail in such circumstances amounted to a violation of the petitioner's fundamental rights. It underscored that constitutional courts must remain vigilant in protecting personal liberty and must not allow procedural delays to defeat substantive justice. The Court further indicated that it was not necessary to await the response of the State in a matter where the violation of fundamental rights was so evident.

Consequently, the Supreme Court directed that the petitioner be released on bail forthwith, subject to such terms and conditions as the trial court may deem appropriate. By doing so, the Court reaffirmed the principle that bail jurisprudence in India must be guided not only by the nature of the offence but also by the broader constitutional mandate of fairness, reasonableness, and protection of individual liberty.

This judgment carries important implications for the administration of criminal justice. It serves as a reminder that the right to a speedy trial is an integral part of the right to life and personal liberty. It also highlights the responsibility of courts to balance the interests of the State with the rights of the accused, particularly in cases where systemic delays threaten to convert the process of trial into a form of punishment. The decision reinforces that justice delayed, especially in the context of undertrial detention, is not merely a matter of inefficiency but a serious constitutional concern.

For further details write to [contact@indialaw.in](mailto:contact@indialaw.in)

## Related Practice Areas

---

Criminal Litigation