

Article of india,
whether in a civil,



**ASSIGN
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Article 134(1) of the Constitution of India provides that an appeal shall lie to the Supreme Court from any judgment, final order or sentence in a criminal proceeding of a High Court in the territory of India if the High Court:— (a) Has on appeal reversed an order of acquittal of an accused person and sentenced him to death; or (b) Has withdrawn for trial before itself any case from any Court subordinate to its authority and has in such trial convicted the accused person and sentenced him to death; or (c) Certified under Article 134-A that the case is a fit one for appeal to the Supreme Court. (2) Where a sentence of death is passed or confirmed by the High Court, and the person sentenced makes an application to the High Court for the grant of a certificate under Article 132 or under sub-clause (c). of clause (1) of. Article 134 of the Constitution, the High Court shall order the execution of the sentence to be postponed until such application is disposed of by the High Court, or if a certificate is granted on such application, until the period allowed for preferring an appeal to the Supreme Court on such certificate has expired.

Article 132(1) of the Constitution of India provides that an appeal shall lie to the Supreme Court from any judgment, decree or final order of a High Court in the territory of India, whether in a civil, criminal or other proceeding, if the High Court certifies under Article 134-A that the case involves a substantial question of law as to the interpretation of this Constitution. (3) Where a sentence of death is passed or confirmed by the High Court, and the High Court is satisfied that the person sentenced intends to present a petition to the Supreme Court for the grant of special leave to appeal under Article 136 of the Constitution, the High Court shall order the execution of the sentence

to be postponed for such period as it considers sufficient to enable him to present such petition. Thus, once the Supreme Court entertains an appeal or grants special leave, it would order the stay of the execution of the sentence during the pendency of the appeal proceedings before it. According to Section 416 of the Code of Criminal Procedure, if a woman sentenced to death is found to be pregnant, the High Court shall order the execution of the sentence to be postponed, and may, if it thinks fit, commute the sentence to imprisonment for life.