

ITEM NO.8

COURT NO.14

SECTION II

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). 2982-2983/2023

(Arising out of impugned final judgment and order dated 16-12-2022 in SBCRMBA No. 14792/2022 21-12-2022 in SBCRLMA No. 427/2022 passed by the High Court Of Judicature For Rajasthan At Jaipur)

YASHIK JINDAL

Petitioner(s)

VERSUS

UNION OF INDIA

Respondent(s)

IA No. 38297/2023 - EXEMPTION FROM FILING O.T.
IA No. 38298/2023 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

WITH

SLP(Crl) No. 2984-2985/2023 (II)

(FOR

FOR EXEMPTION FROM FILING O.T. ON IA 39035/2023

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 39036/2023

IA No. 39035/2023 - EXEMPTION FROM FILING O.T.

IA No. 39036/2023 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

Date : 28-03-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE S. RAVINDRA BHAT
HON'BLE MR. JUSTICE DIPANKAR DATTA

For Petitioner(s) Mr. Sanchar Anand, Adv.
Mr. Devendra Singh, AOR
Mr. Ajay Nain, Adv.
Mr. Aman Kumar Thakur, Adv.
Mr. Karan Thakur, Adv.
Mr. Vijay Kumar Singh, Adv.
Mr. Anmol Harna, Adv.

For Respondent(s) Mr. Jayant K. Sud, ASG
Mr. Sachin Sharma, Adv.
Mr. Kartik Jasra, Adv.

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

Heard learned counsel for the parties. We requested Mr. Jayant Sood, learned Addl. Solicitor General, to assist the Court in the present petitions since there is no appearance on behalf of the respondent.

By the impugned order, the High Court imposed a condition of deposit of Rs. 2 crores upon the petitioners, for the grant of bail. They are accused of evading tax and derived the benefit of input-tax credit to the tune of Rs. 11.3 crores.

This Court has deprecated imposition of such onerous conditions previously- notably in the recent order in "*Subhash Chouhan vs. Union of India & Anr.*" (Criminal Appeal No. 186 of 2023) decided on 20.01.2023.

Following the order in *Subhash Chouhan vs. Union of India & Anr.*, the condition requiring the petitioner to deposit Rs.2 crores is hereby set aside. The Court is informed that the petitioner had borrowed sums of money and deposited the same. It is open for them to seek withdrawal/ refund of such amounts. They shall, however, comply with the other conditions imposed on them.

The special leave petitions are allowed in the above terms.

Pending applications, if any, are disposed of.

(HARSHITA UPPAL)
SENIOR PERSONAL ASSISTANT

(MATHEW ABRAHAM)
COURT MASTER (NSH)