



IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. _____ OF 2026
(@SLP(CRL.) NO. _____ OF 2026)
(@SLP(CRL.) D. NO.34363 OF 2026)

RAJU PRASAD

.....

APPELLANT(S)

VERSUS

STATE OF RAJASTHAN

.....

RESPONDENT(S)

O R D E R

1. Heard.

2. Delay condoned.

3. Leave granted.

4. An FIR No.85/2025 came to be registered against the appellant and others for the offences punishable under Sections 318(4), 338, 326(3) and 61(2)(a) of the Bharatiya Nyaya Sanhita, 2023 (BNS) alleging that the appellant was an attesting witness to a forged Power of Attorney and also the subsequent sales transactions concerning agriculture land based on the said forged Power of Attorney. The courts below have rejected the prayer of the appellant.

5. As noted from the prosecution theory it was alleged that neither the complainant nor the co-sharers of the immovable property had ever executed a Power of Attorney or transferred the land. The signatures found on the Power of Attorney as well as the Sale Deeds, are all forged.

6. It is the case of the prosecution that accused persons conspired to fabricate documents and transfer the land through Bhavani Shankar Sanwamal and Dharam Pratap Singh. The appellant and another co-accused Sanwamal are alleged to have signed as a witness to the said documents having knowledge that they were forged documents.

7. Learned counsel appearing for the respondent-State has vehemently opposed the bail contending *inter alia* that the trial is progressing and the appellant and other accused having formed a syndicate and are indulging in such acts of cheating people and depriving them of their valuable property and if enlarged on bail they are likely to indulge in similar acts. He would also draw the attention of the Court to the order of the trial court and also the impugned order whereunder it has been noticed that there are alleged criminal antecedents against the appellant. Refuting the same, the learned counsel appearing for the appellant has

contended that out of four cases, in one case appellant has been granted the benefit of Probation of Offenders Act (PO Act). He would also submit that in none of those cases there are any allegation of cheating and as such he seeks for being enlarged on bail.

8. Having heard the learned counsels appearing for the parties and having taken note of the fact that the appellant is in incarceration for more than 11 months and the trail is progressing, we see no reason as to why he should be kept in the continued confinement. To allay the apprehension of the prosecution, it would suffice to impose strict conditions for being enlarged on bail.

9. Accordingly, appeal is allowed. Impugned order is set aside. Appellant is ordered to be released on bail on such terms and conditions as the jurisdictional trial court may deem fit to impose and also on the condition that appellant would appear before the jurisdictional trial court on all dates of hearing except when exempted for any specific reason.

10. Pending application(s), if any, shall stand disposed of.

.....J.
(ARAVIND KUMAR)

.....J.
(VIPUL M. PANCHOLI)

New Delhi;
July 13, 2026.

ITEM NO.11

COURT NO.12

SECTION II-D

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s). 34363/2026

[Arising out of impugned final judgment and order dated 09-01-2026 in SBCRSMBA No. 16666/2025 passed by the High Court of Judicature for Rajasthan at Jaipur]

RAJU PRASAD

Petitioner(s)

VERSUS

STATE OF RAJASTHAN

Respondent(s)

IA No. 173534/2026 - CONDONATION OF DELAY IN FILING

IA No. 173536/2026 - EXEMPTION FROM FILING O.T.

Date : 13-07-2026 This matter was called on for hearing today.

**CORAM : HON'BLE MR. JUSTICE ARAVIND KUMAR
HON'BLE MR. JUSTICE VIPUL M. PANCHOLI**

**For Petitioner(s) :Mr. Harsh Tikoo, Adv.
Mr. Jatin Bhardwaj, AOR
Mr. Rahul Rai, Adv.
Mr. Ramkishan Saraswat, Adv.**

**For Respondent(s) :Ms. Nidhi Jaswal, Adv.
Mr. Saurabh Rajpal, AOR**

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

1. Delay condoned.
2. Leave granted.
3. Appeal is allowed in terms of the Signed Order, which is placed on file.
4. Pending application(s), if any, shall stand disposed of.

(RASHI GUPTA)
COURT MASTER (SH)

(AVGV RAMU)
COURT MASTER (NSH)