ITEM NO.4 COURT NO.15 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

PETITION(S) FOR SPECIAL LEAVE TO APPEAL (CRL.) NOS.16164-16165/2026

[Arising out of impugned final judgment and order dated 21-08-2026 in SBCRC No. 63/2025 21-08-2026 in SBCRC No. 80/2025 passed by the High Court of Judicature for Rajasthan at Jaipur]

DEV PRAKASH KHANDAKA & ORS. PETITIONER(S)

VERSUS

STATE OF RAJASTHAN & ANR. RESPONDENT(S)

FOR ADMISSION
(IA No. 259598/2026 - EXEMPTION FROM FILING O.T.
IA No. 260064/2026 - EXEMPTION FROM FILING O.T.
IA No. 260063/2026 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 19-11-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE SATISH CHANDRA SHARMA
HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH

For Petitioner(s) :Dr. Manish Singhvi, Sr. Adv.
Mr. D. K. Devesh- 2275, AOR
Mr. Apurv Singhvi, Adv.
Ms. Shalini Haldar, Adv.

For Respondent(s) :Ms. Sansriti Pathak, A.A.G.
Mr. Saurabh Rajpal- 3577, AOR
Ms. Shagufa Khan, Adv.

Mr. Jugul Kishor Gupta- 3271, AOR
Mr. Akash Kumar Tiwari, Adv.
Mr. Raj Narayan Singh, Adv.
Ms. Babila Kk, Adv.

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

Signature Not Verified
Digitally signed by JAGDISH KUMAR
Date: 2026.11.21 13:03:20 IST
Reason:

1. The petitioners before this Court have filed these present special leave petitions being

aggrieved by cancellation of anticipatory bail of the petitioners herein by the High Court of Judicature for Rajasthan Bench at Jaipur (for short "the High Court"). The impugned order dated 21.08.2026 passed by the High Court is under challenge.

2. The undisputed facts reveal that the petitioners and other persons were trading in gold and as per the allegations gold was supplied to the petitioners and the petitioners were required to make ornaments and return the same to the persons who were supplying gold. The transactions are of the year 2009 to 2018. It is also true that the petitioners before this Court has filed a civil suit against the complainant as there was serious dispute regarding transfer of gold/advance money. Later on the person against whom civil suit has been filed, has filed an FIR before the Police in the year 2024 in respect of transactions of the year 2009 onwards. The Trial Court has granted anticipatory bail to the petitioners, however, the High Court has cancelled the anticipatory bail. This Court while issuing notice on 02.09.2026 has also stayed the effect and operation of the impugned order passed by the High Court.

3. Learned counsel for the respondent No.1-State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners herein and stated that the Trial Court has in fact conducted mini trial while granting anticipatory bail and the High Court was justified in cancelling the anticipatory bail. Learned counsel for the complainant-respondent No.2 has also vehemently opposed the prayer for grant of anticipatory bail.

4. This Court after hearing learned counsel for the parties and after going through the record is of the opinion that the impugned order dated 21.08.2026 passed by the High Court deserves to be set aside and it set aside accordingly. The order dated 20.02.2025 granted bail to the petitioners passed by the Sessions Judge, Jaipur Metropolitan-II in Anticipatory Bail Application No.452/2025 in FIR No.284/2024 registered at Police Station Kotwali, Jaipur, stands restored.

5. It is needless to mention that the findings arrived at by the Trial Court while granting anticipatory bail to the petitioners and the observations made by the High Court while canceling the anticipatory bail will not come in way of the Trial Court while deciding the matters on merits.

6. With above observation and direction, the special leave petitions stand disposed of.

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

(JAGDISH KUMAR)
ASTT. REGISTRAR-cum-PS

(KOMAL)
COURT MASTER (NSH)