



**IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION**

MISCELLANEOUS APPLICATION No(s). 2839-2840 OF 2026

IN

[SPECIAL LEAVE PETITION (CRIMINAL) No(s). 3197-3198 OF 2024]

SATISH NATHALAL GOGHARI

**APPLICANT(S)/
PETITIONER(S)**

VERSUS

THE STATE OF MAHARASHTRA

**NON-APPLICANT(S)/
RESPONDENT(S)**

ORDER

1. We have heard learned counsel for the applicant as well as learned counsel for the respondent-State of Maharashtra.

2. These Miscellaneous Application(s) have been filed by the applicant for modification of the condition imposed by this Court while granting bail to the applicant vide order dated 03.05.2024 in Special Leave Petition (Criminal) No(s).3197-3198/2024.

3. Applicant is an accused in FIR No.67 of 2019 registered at Police Station- Kanjurmarg, District-

Mumbai, Maharashtra under Sections 406 and 420 of the Indian Penal Code, 1860 (for short, 'IPC') read with Sections 3 and 4 of the Maharashtra Ownership Flats (Regulation of the Promotion of Construction, Sale, Management and Transfer) Act, 1963.

4. After the bail prayer of the applicant was rejected by the High Court of Judicature at Bombay (briefly 'the High Court' hereinafter), applicant had preferred Special Leave Petition (Criminal) No(s).3197-3198/2024 before this Court.

5. Vide the order dated 03.05.2024, this Court noted that while the petitioner was in custody since 23.09.2019, no progress was made in the trial. Notwithstanding submission of charge-sheet, charges were not framed at that point of time.

6. We find from the order dated 03.05.2024 that learned counsel for the applicant made a statement before the Court that he would deposit an amount of Rs.50,00,000/- within 04 weeks from the date of his release.

7. This Court, taking the view that continued incarceration of the applicant violated Article 21 of the Constitution of India, directed release of the applicant on bail with further direction to the Trial Court to conclude the trial expeditiously. In view of the undertaking given by learned counsel for the applicant, this Court directed that applicant should deposit an amount of Rs.50,00,000/- within 04 weeks from the date of

release and a further amount of Rs.50,00,000/- within a period of 08 weeks thereafter.

8. In the Miscellaneous Application(s), it is stated by the applicant that despite his best efforts, he could not comply with the condition imposed by this Court regarding deposit of Rs.1,00,00,000/-, in two tranches of Rs.50,00,000/- each, because of extreme financial hardship due to collapse of his business. He has further stated that he has already undergone more than 05 years of incarceration.

9. In the hearing today, Ms. Rukhmini Bobde, learned counsel for the respondent-State of Maharashtra submits that as of today, cross-examination of P.W.3 is going on.

10. On a query by the Court, she submits that as many as 75 prosecution witnesses remain to be examined.

11. Having regard to the totality of the facts and circumstances of the case, we are of the view that notwithstanding the undertaking given by learned counsel for the applicant, insistence on deposit of Rs.1,00,00,000/-, in two tranches of Rs.50,00,000/- each, would be oppressive. It has turned out to be an onerous condition facilitating continued incarceration of the applicant for about 2 ½ years even after this Court had directed his release on the ground of violation of Article 21 of the Constitution of India.

12. Accordingly, we recall the following portion of the order dated 03.05.2024 passed in Special Leave Petition

(Criminal) No(s).3197-3198/2024:

“However, it shall be on his undertaking that he would deposit an amount of Rs.50,00,000/- (Rupees Fifty Lakhs only) within four weeks from the date of release and a further amount of Rs.50,00,000/- (Rupees Fifty Lakhs only) within a further period of eight weeks.”

13. Consequently, the applicant shall be forthwith released on bail on usual terms and conditions. However, the applicant shall co-operate with the ongoing trial.

14. Accordingly, the Miscellaneous Application(s) are allowed.

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

..... J.

[UJJAL BHUYAN]

..... J.

[ATUL S. CHANDURKAR]

NEW DELHI;
27th OCTOBER, 2026.
AK

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

Miscellaneous Application No. 2839-2840/2026
in SLP(Crl) No. 3197-3198/2024

[Arising out of impugned final judgment and order dated 03-05-2024 in SLP(Crl) No. No. 3197/2024 03-05-2024 in SLP(Crl) No. No. 3198/2024 passed by the Supreme Court of India]

SATISH NATHALAL GOGHARI

Petitioner(s)

VERSUS

THE STATE OF MAHARASHTRA

Respondent(s)

Date : 27-10-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE UJJAL BHUYAN
HON'BLE MR. JUSTICE ATUL S. CHANDURKAR

For Petitioner(s): Mr. Shahzad Naqvi, Adv.
Mr. Chand Qureshi, AOR
Ms. Sana Mohammed Yusuf Shaikh, Adv.
Ms. Maya Updeshe, Adv.
Ms. Reena Malhotra, Adv.
Mr. Pravin Kumar, Adv.
Mr. Rohit Beniwal, Adv.
Dr. Itbar Singh, Adv.

For Respondent(s): Ms. Rukhmini Bobde, Adv.
Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya Aniruddha Pande- 3259, AOR
Mr. Shrirang B. Varma, Adv.
Mr. Vinayak Aren, Adv.
Mr. Jatin Dhamija, Adv.
Ms. Aishwarya Nigam, Adv.

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

1. The Miscellaneous Application(s) are allowed in terms of the signed order placed on the file.
2. Pending application(s), if any, shall stand disposed of.

(ABHINAV KUMAR)
COURT MASTER (SH)

(CHETNA BALOONI)
COURT MASTER (NSH)