IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

Criminal Appeal Nos 1742-1743 of 2022
(Arising out of Special Leave Petition (Crl) Nos 8204-8205 of 2022)

Ramchandra Vishnoi Etc.   ... Appellant(s)

Versus

Union of India   ... Respondent(s)

O R D E R

1   Leave granted.

2   By the impugned order of a Single Judge of the High Court of Judicature for Rajasthan, the application for bail filed by the appellants was rejected on the ground that an earlier application was dismissed on merits.

3   The appellants are alleged to have committed an offence punishable under Section 132 of the Central Goods and Services Tax Act 2017, by siphoning of Input-Tax credit against fake invoices.

4   A criminal case was lodged before the Court of the Special Judge/ACMM (Economic Offences), Jaipur Metropolitan, Jaipur on 10 July 2021. The first application for bail, was dismissed on 27 July 2021 by the trial court. The

Additional Sessions Judge dismissed the application for bail on 2 August 2021.

5   The final report/complaint has already been filed before the ACMM on 7 September 2021.

6   The appellants have been in custody for nearly 14 months.

7   The co-accused, Pravin Jangir, was granted bail by the High Court on 4 October 2021. Another co-accused, Hemant Tyagi, was granted bail by this Court on 18 May 2022.

8   Having regard to the period of custody which has been undergone by the appellants and that the co-accused have been enlarged on bail, we direct that the appellants, Ramchandra Vishnoi and Himmat Singh Bhati, shall be released on bail subject to such terms and conditions as may be imposed by the Trial Court.

9   The trial court, while fixing the conditions for the grant of bail, shall, inter alia, impose conditions for :

   (i)   Deposit of the passport, if any, before the competent court;

   (ii)   For regular reporting by the appellants to the SHO of the Police Station concerned at least once in a fortnight.

10   The appeals are accordingly disposed of.

11   Pending applications, if any, stand disposed of.

                                        …….…..…….....…..……………....…...…J.
                                         [Dr Dhananjaya Y Chandrachud]

                                        …….….….....…....….………….…...…...…J.
                                         [Hima Kohli]

New Delhi;
October 10, 2022
- GKA -

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). 8204-
8205/2022

(Arising out of impugned final judgment and order dated 27-06-2022
in SBCRMSBA No. 2086/2022 27-06-2022 in SBCRMSBA No. 8069/2022
passed by the High Court Of Judicature For Rajasthan At Jaipur)

RAMCHANDRA VISHNOI ETC.   Petitioner(s)

VERSUS

UNION OF INDIA   Respondent(s)

(FOR ADMISSION and I.R. and IA No.128107/2022-EXEMPTION FROM FILING
O.T.)

Date : 10-10-2022 These petitions were called on for hearing today.

CORAM :   HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
          HON'BLE MS. JUSTICE HIMA KOHLI

For Petitioner(s)   Ms. Aparajita Singh, Sr. Adv.
                    Mrs. Nanita Sharma, AOR
                    Mr. Vivek Sharma, Adv.
                    Mr. Bajrang Lal, Adv.
                    Mr. Faeek-ul-Farooq, Adv.

For Respondent(s)   Mr. N. Venkatraman, ASG
                    Mr. Rupesh Kumar, Adv.
                    Mr. H. Raghvendra Rao, Adv.
                    Mr. V. Chandrashekhara Bharthi, Adv.
                    Mr. M.K. Maroria, AOR

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

1   Leave granted.

2   The appeals are disposed of in terms of the signed order. Operative part of the

signed order reads as under :

"8   Having regard to the custody which has been undergone by the appellants and having due regard to the fact that the co-accused have been enlarged on bail, we direct that the appellants, Ramchandra Vishnoi and Himmat Singh Bhati, shall be released on bail subject to such terms and conditions as may be imposed by the Trial Court.

12   The trial court, while fixing the conditions for grant of bail, shall, inter alia, impose the conditions for :

    (i)   Deposit of the passport, if any, before the competent court;

    (ii)   For regular reporting by the appellants to the SHO of the Police Station concerned at least once in a fortnight.

13   The appeals are accordingly disposed of.

14   Pending applications, if any, stand disposed of."

(GULSHAN KUMAR ARORA)   **(SAROJ KUMARI GAUR)**
AR-CUM-PS   **ASSISTANT REGISTRAR**

(Signed order is placed on the file)