

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION



CRIMINAL APPEAL NO. 2646 OF 2023
(Arising out of SLP(Crl.) No.5200/2023)

DEPESH TIWARI

Appellant(s)

VERSUS

THE STATE OF MADHYA PRADESH

Respondent(s)

ORDER

Leave granted.

Heard learned counsel for the appellant and the State.

In response to our specific query as to whether the appellant is cooperating with the investigating agency or not, it is submitted by the learned counsel for the appellant that he has joined investigation. In such circumstances, we do not think custodial interrogation of the appellant is necessary. We, accordingly, set aside the impugned order and direct that in case of arrest of the appellant in connection with Crime No. 01 of 2019 registered with Police Station Commercial Tax Anti Evasion Bureau, State Goods and Services Tax(SGST), Jabalpur, he shall be released on bail on such terms the Trial Court may consider fit and proper.

The appellant, however, must surrender his

passport, if any, with the Trial Court and otherwise, shall not travel beyond the territory of India without leave of the Trial Court during pendency of the case.

The present appeal is allowed in the above terms.

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

..... J.
[ANIRUDDHA BOSE]

..... J.
[SANJAY KUMAR]

NEW DELHI;
AUGUST 31, 2023.

ITEM NO.14

COURT NO.3

SECTION II-A

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (Crl.) No. 5200/2023

(Arising out of impugned final judgment and order dated 13-01-2023 in MCRC No. 49700/2022 passed by the High Court Of M.P.Principal Seat At Jabalpur)

DEPESH TIWARI

Petitioner(s)

VERSUS

THE STATE OF MADHYA PRADESH

Respondent(s)

(IA No.83502/2023-EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No.83500/2023-EXEMPTION FROM FILING O.T.)

Date : 31-08-2023 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ANIRUDDHA BOSE
HON'BLE MR. JUSTICE SANJAY KUMAR

For Petitioner(s) Mr. Devadatt Kamat, Sr. Adv.
Mr. Pai Amit, AOR
Mr. Shoeb Hasan Khan, Adv.
Mr. Revant Solanki, Adv.
Mr. Anubhav Kumar, Adv.
Mr. Abhiyudaya Vats, Adv.
Mr. Kushal Dube, Adv.

For Respondent(s) Mrinal Gopal Elker, AOR
Mr. Divyansh Singh, Adv.
Mr. Saurabh Singh, Adv.
Ms. Aarushi Gupta, Adv.

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

Leave granted.

The impugned order is set aside, the present appeal is allowed and in case of arrest of the appellant in connection with Crime No. 01 of 2019 registered with Police Station Commercial Tax Anti Evasion Bureau, State Goods and Services Tax(SGST),

Jabalpur, he shall be released on bail in terms of the signed order which is placed on the file.

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

(SNEHA DAS)
SENIOR PERSONAL ASSISTANT

(VIDYA NEGI)
ASSISTANT REGISTRAR