

RAJASTHAN HIGH COURT

सत्यमेव जयते

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous Bail Application No. 15618/2025

Satyanarayan Gupta Son Of Late Mr. Radhe Shyam Gupta, Aged About 58 Years, Resident Of 1-E-19, Shiv Shakti Colony, Shastri Nagar, Jaipur Presently Residing At 364, Jems Colony, Sector 3, Vidyadhar Nagar, Jaipur Rajasthan (Presently Confined In Central Jail Jaipur (Rajasthan)

-----Petitioner

Versus

State Of Rajasthan, Through PP

-----Respondent

For Petitioner(s)	:	Mr. Sawdeep Singh Hora Mr. Rajesh Mehrishi Mr. Naresh Kumar Sejvani Mr. Kunal Sharma
For Respondent(s)	:	Mr. V.R. Bajwa, Sr. Adv., assisted by Mr. Amar Kumar Mr. Dinesh Kumar Garg Mr. Rajesh Choudhary-GA-cum-AAG with Mr. Jitendra Singh Rathore, Addl.G.A. Ms. Neha Goyal Mr. Alok Kumar, ACP, Jhotwara Mr. Suresh Singh, C.I. P.S. Kalwar

HON'BLE MR. JUSTICE INDERJEET SINGH

Order

25/03/2026

1. The present bail application has been filed under Section 483 of the Bhartiya Nagrik Suraksha Sanhita, 2023. The petitioner has been arrested in connection with FIR No.233/2025 registered at Police Station Kalwar, Jaipur City (West) for the offences under Sections 318(4), 316(2), 329(3) and 61(2) of the Bharatiya Nyaya Sanhita 2023 (B.N.S.).

2. Brief facts of the case are that an agreement was entered into between the petitioner's company, representing *M/s Govind Mahima Real Mart Private Limited*, and the complainant's company, *M/s Govindkripa Buildmart Private Limited*, for the development of a scheme known as "Parth City Scheme." The land for the project belonged to the complainant's company (second party), while the petitioner's company (first party) was responsible for developing the scheme. A Development Agreement was executed between the parties on 16.07.2011. Thereafter, the parties executed another Agreement Deed on 16.04.2012, reaffirming or modifying the terms of their arrangement. Subsequently, a compromise deed between them was entered into on 27.06.2017.

3. Learned counsel for the petitioner submits that the FIR lodged by the complainant is wholly false and has been filed with the sole intention to harass the petitioner. He further submits that even on a bare reading of the FIR, no offence is made out against the petitioner. He further submits that the petitioner is in judicial custody since 03.10.2025. He further submits that an amount of Rs. 20 crores is already lying with the complainant company, which negates any allegation of wrongful loss. He further submits that the charge-sheet has already been filed, and no further investigation is pending against the petitioner, therefore, continued custody of the petitioner is unwarranted. Lastly, learned counsel prays that the present bail application be allowed.

4. In support of his contentions, learned counsel for the petitioner relied upon various judgments, which are as under:-

- i. Delhi Race Club Ltd. Vs. State of UP
(2024) 10 SCC 890
- ii. Lalit Kumar Duggar Vs. State of Rajasthan
S.B. CrI. Misc. (Pet) No.6915/2022
Order dated 22.05.2025.
- iii. Arun Kumar Vs. State of Raj.
S.B. CrI. Misc. (Pet) No.2089/2018
- iv. Mohammad Ibrahim Vs. State of Bihar
2009 (8) SCC 751
- v. Mitesh Kumar J. Sha Vs. State of Karnataka
2022 (14) SCC 572
- vi. Velji Raghavji Patel Vs. State of Maharashtra
1965 (2) SCR 429
- vii. Hari Mohan Vs. State of Rajasthan
MANU/RH/0962/2006
- viii. Shyam Sunder Bajaj Vs. State of Rajasthan
S.B. Criminal Misc. Petition No.5235/2014
- ix. Jashbhai Gordhanbhai Patel Vs. Hasmukhlal
1971 SCC Online Guj 79
- x. T.T. Anthony Vs. State of Kerala
2001 (6) SCC 181
- xi. Amitbhai Anilchandra Shah Vs. CBI
2013 (6) SCC 348
- xii. Abhimanyue Vs. State of Kerala
Criminal Appeal Nos.4197-4199 of 2025
- xiii. Prabhakar Tewari Vs. State of UP
2020 (11) SCC 648
- xiv. Tufail Moh. Vs. State of Rajasthan
2015 SCC Online Raj.6541
- xv. Mohd. Wajid Vs. State of U.P.
2023 (20) SCC 219
- xvi. Ankit Mishra Vs. State of U.P.
SLP CrI. No.14566 of 2014

5. Learned Government Advocate-cum-Additional Advocate General, assisted by learned Senior Counsel for the complainant, opposed the bail application and submitted that the petitioner has issued forged "pattas" in clear violation of the terms and conditions of the agreement executed between the parties. As per the agreed terms, "pattas" can only be issued after being duly signed by both the parties, and only thereafter the land can be transferred or sold to third parties. However, the petitioner, in

contravention of these conditions, unilaterally issued forged "pattas". They further submitted that the petitioner is a history-sheeter, and multiple FIRs have been registered against him in various police stations within the Jaipur City. In total, 94 criminal cases have been registered against the petitioner, out of which 8 cases are pending trial and 21 cases are under investigation. They further submitted that in the present matter as well, the investigation is still pending, particularly for the recovery of forged "pattas" allegedly issued by the petitioner. They further submitted that the amount lying with the complainant company was to be handed over to the petitioner's company only upon completion of the development project. However, prior to such completion, the petitioner allegedly issued forged "pattas" and collected money from several persons, thereby causing not only financial loss but also reputational damage to the complainant company and lastly, prayed that the bail application be rejected.

6. In support of their contentions, learned counsel for the Government Advocate-cum-Additional Advocate General as well as learned Senior Counsel for the complainant relied upon the judgments passed by the Hon'ble Supreme Court in the matter of **Sushil Suri Vs. C.B.I. & Anr.** reported in **AIR 2011 SCC 1713** and **Rakesh Mittal Vs. Ajay Pal Gupta @ Sonu Chaudhary and Anr.**, reported in **2026 INSC 161**.

7. Heard learned counsel for the parties and perused the record.

8. The Hon'ble Supreme Court in the matter of **Rakesh Mittal Vs. Ajay Pal Gupta @ Sonu Chaudhary and Anr.**, reported in **2026 INSC 161**, in paras No.20, 21 & 22 held as under:-

"20. In the case on hand, the investigation against respondent No.1, as is borne out by the counter affidavit filed by the State, clearly demonstrates that he is a habitual offender. The number of diverse and unconnected aliases, fake IDs and the deliberate changes of identity, including his father's name, clearly manifest his nefarious intention to dupe innocent victims and cheat them.

21. Further, the fact that respondent No.1 was granted bail earlier but chose to indulge in the same activities once again, resulting in the registration of multiple FIRs over the years, demonstrates that he is a career criminal and a menace to society. The impugned order reflects that his past antecedents were not even taken into consideration. Similarly, his conduct in the context of the pending case was not noted. Having secured bail in relation to FIR No.229 of 2017, respondent No.1 chose to abscond, resulting in issuance of a non-bailable warrant, which also brought to light the fact that his surety was not to be found.

22. In such circumstances, the High Court ought not to have blindly extended the parity principle to him without considering the particular and distinctive features of his individual case. Given the fact that respondent No.1 has not turned over a new leaf, despite the indulgence shown by grant of bail in relation to FIR No.229 of 2017, as evidenced by the FIRs registered against him over the years, we are of the opinion

that letting him loose on society would only pose a risk and hazard to others.”

9. Considering the submissions advanced by learned counsel for the parties, and taking into account the facts and circumstances of the present case as well as looking to the seriousness of the offences alleged against the petitioner and also considering the facts that even after filing of the charge-sheet (challan), the investigation has been kept pending, as informed by the learned Government Advocate-cum-Additional Advocate General, particularly for recovery of forged “pattas.”; the criminal antecedents of the petitioner, who is a history-sheeter against whom 94 criminal cases have been registered, out of which, 8 cases are pending trial and 21 cases are under investigation; the material placed on record prima facie indicates that the petitioner is habitually involved in cheating innocent persons by issuing forged “pattas,” not only in the present project but many other cases have been registered against him in various police stations in Jaipur City; in view of the judgment passed by the Hon’ble Supreme Court in ***Rakesh Mittal (supra)*** and without expressing any opinion on the merits of the case, this Court is of the view that no ground is made out to enlarge the petitioner on bail under Section 483 of the Bhartiya Nagrik Suraksha Sanhita, 2023.

10. Hence, the present bail application stands dismissed.

(INDERJEET SINGH),J