



IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.334 OF 2026  
(@SLP (CrI.) No.856/2026)

SHAILENDRA CHOUDHARY . . . . . APPELLANT  
VERSUS  
STATE OF RAJASTHAN . . . . . RESPONDENT

O R D E R

1. Heard.

2. Leave granted.

3. The complainant Yusuf purchased a plot and commenced construction and was interrupted by the appellant and others claiming title over the plot. The repeated attempts to put up construction by the complainant was thwarted by the appellant and his group asserting that they are the muscle men and they are indulging in forging the records and they claimed title over the property of the complainant which is not belonging to them and only on extortion amount being paid, they would permit the construction to be proceeded.

4. On the basis of the same, FIR No.508 of 2025 came to be registered against the appellant for the offences punishable

under Sections 318(4), 316(2), 338, 336(3), 340(2), 61 and 351(2) of the Bharatiya Nyaya Sanhita, 2023 and after investigation, chargesheet has been filed. The appellant has been taken into custody on 16.09.2025.

5. The learned counsel appearing for the appellant would submit that appellant has already relinquished his right to the property. He would also hasten to add that appellant would file an affidavit of undertaking before the jurisdictional Investigating Officer (IO) undertaking thereunder not to interfere or interrupt with the construction undertaken by the complainant in the property purchased by him, particularly in view of the fact that he has no interest in the said plot, within six weeks from today. His submission and undertaking is placed on record.

6. Though learned counsel appearing for the appellant is partially correct in contending that there is civil flavour in the dispute, the fact remains that the complainant was not permitted to put up construction and he was threatened from putting up construction. As to whether the allegations made by the complainant against the appellant is true or otherwise, is an issue which has to be thrashed out during the course of trial.

7. We also notice that chargesheet having been filed, continued incarceration of the appellant would not be warranted. Hence, appeal is allowed and the impugned order is set aside. Appellant is ordered to be released on bail on such terms and conditions as the jurisdictional court may impose.

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

.....J.  
(ARAVIND KUMAR)

.....J.  
(PRASANNA B. VARALE)

New Delhi;  
January 19, 2026.

ITEM NO.69

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  
R E C O R D O F P R O C E E D I N G S

Criminal Appeal No(s). 334/2026 (@SLP (CrI.) No.856/2026)

SHAILENDRA CHOUDHARY

Appellant(s)

VERSUS

STATE OF RAJASTHAN

Respondent(s)

FOR ADMISSION

IA No. 13934/2026 - EXEMPTION FROM FILING O.T.

Date : 19-01-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ARAVIND KUMAR  
HON'BLE MR. JUSTICE PRASANNA B. VARALE

For Appellant(s) : Mr. R. K. Tarun, Adv.  
Ms. Aditi Shivadhatri, Adv.  
Mr. Hemant Jain, Adv.  
Mr. Rajiv Kumar Sharma, Adv.  
Mr. Ashutosh Yadav, AOR  
Mr. Prafull Singh Chandel, Adv.

For Respondent(s) : Mr. Shir Mangal Sharma, Adv.  
Mr. Puneet Parihar, Adv.  
Ms. Sonali Gaur, Adv.  
Ms. Nidhi Jaswal, AOR

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

1. Leave granted.
2. Appeal is allowed in terms of the Signed Order placed on the file.
3. Pending application(s), if any, shall stand disposed of.

(RASHI GUPTA)  
COURT MASTER (SH)

(AVGV RAMU)  
COURT MASTER (NSH)