

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. _____ OF 2026
(Arising out of SLP(Crl.) No.1231/2026)

NAVEEN PARIHAR

APPELLANT(S)

VERSUS

THE STATE OF UTTARAKHAND

RESPONDENT(S)

O R D E R

1. Leave granted.
2. The High Court of Uttarakhand *vide* impugned order dated 30.12.2025 granted anticipatory bail to the appellant in FIR No.11/2025; however, it limited the operation of that protection for a period of 15 days, meanwhile, granting liberty to the appellant to approach the jurisdictional Court for the grant of regular bail. The aggrieved appellant has thus approached this Court. On 27.01.2026, the following order was passed:

- "1. Issue notice, returnable on 09.02.2026.
2. Meanwhile, the interim anticipatory bail granted to the petitioner is further extended till further orders.
3. However, the Chief Secretary, Uttarakhand and the Principal Secretary, Department of Mining, are directed to submit a tentative fact-finding report with respect to the loss caused to the State revenue, including in terms of the value of illicit transported minerals, etc., which is attributable to the Petitioner.

4. It is made clear that the continuation of anticipatory bail will depend upon the conditions which we propose to impose.

3. In deference thereto, a Fact-Finding Report has been submitted by the Respondent Authorities, according to which the appellant is alleged to have caused a loss of Rs. 3,01,982/- (Rs. 70 per tonne × 4314.025 tonnes) to the revenue; however, the total penalty of Rs. 12,07,927/- has been calculated as four times the value of the mined ore (Rs. 70 × 4 = Rs. 280 × 4314.025 tonnes)

4. It is not in dispute that the investigation is complete and the charge-sheet has been filed.

5. That being so, we are of the view that the appellant can be allowed to continue on pre-arrest bail subject to his depositing the levied amount of fine and penalty. The appellant shall deposit the requisite amount within two weeks, without prejudice to the parties' rights.

6. The appellant shall be at liberty to challenge the levy of fine or penalty before an appropriate forum in accordance with law.

7. Similarly, the deposit of fine or penalty shall not absolve or exonerate the appellant from penal consequences, if any, and, thus, the Trial Court shall proceed in accordance with law.

8. In view of the above, the appeal is allowed, and the

impugned order of the High Court is set aside.

9. It is, however, clarified that we have not expressed any opinion on the merits of the case.

.....CJI.
(SURYA KANT)

.....J.
(JOYMALYA BAGCHI)

.....J.
(N.V. ANJARIA)

NEW DELHI;
FEBRUARY 09, 2026

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(s).1231/2026

[Arising out of impugned final judgment and order dated 30-12-2025 in ABA No.301/2025 passed by the High Court of Uttarakhand at Nainital]

NAVEEN PARIHAR

Petitioner(s)

VERSUS

THE STATE OF UTTARAKHAND

Respondent(s)

(IA No. 21024/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 21023/2026 - EXEMPTION FROM FILING O.T.)

Date : 09-02-2026 This matter was called on for hearing today.

CORAM : HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE JOYMALYA BAGCHI
HON'BLE MR. JUSTICE N.V. ANJARIA

For Petitioner(s) :Mr. Devadatt Kamat, Sr. Adv.
Mr. Javedur Rahman, AOR
Mr. Saharul Alam Laskar, Adv.
Mr. Revanta Solanki, Adv.
Mr. Ajay Desai, Adv.
Mr. Pankaj Kulaura, Adv.

For Respondent(s) :Mr. Jatinder Kumar Sethi, D.A.G.
Mr. Ashutosh Kumar Sharma, AOR
Ms. Rachna Gandhi, Adv.
Mr. G P Mahto, Adv.

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

1. Leave granted.
2. The appeal is allowed in terms of the signed order.
3. All pending applications, if any, also stand disposed of.

(ARJUN BISHT)
ASTT. REGISTRAR-cum-PS

(PREETHI T.C.)
ASSISTANT REGISTRAR

(signed order is placed on the file)