

IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NOS. OF 2026
(arising out of SLP(Crl.) Nos. 2643-2644/2026)

VIKASH KUMAR APPELLANT(S)

VERSUS

STATE OF RAJASTHAN RESPONDENT(S)

O R D E R

Leave granted.

2. These appeals were filed by the appellant, Vikash Kumar, who was granted conditional bail by the High Court of Rajasthan, Bench at Jaipur, vide order dated 21.11.2025 passed in S.B. Criminal Miscellaneous Bail Application No. 15192/2025, in relation to First Information Report (FIR) No. 173/2025 dated 02.06.2025 registered with Police Station - Singhana, District - Jhunjhunu, Rajasthan, for offences punishable under Sections 406 and 420 of the Indian Penal Code, 1860. The condition imposed upon him was that he should furnish a bank guarantee for a sum of ₹5,00,000/- (Rupees five lakhs only) in order to be enlarged on bail. The application filed by the applicant seeking modification of this order to the extent of relaxing the aforesaid condition was dismissed by the High Court, by order dated 09.01.2026 passed in S.B. Criminal Miscellaneous Application No. 658/2025. Aggrieved thereby, the appellant, Vikash Kumar, came before this Court.

3. By order dated 17.02.2026, this Court deemed it appropriate

to relax the condition of furnishing the bank guarantee, taking note of the fact that the High Court could not treat the bail application as a mode of recovery for the complainant in the FIR.

4. The State of Rajasthan filed its counter affidavit, wherein reference was made to the earlier decision of this Court in *Guddan alias Roop Narayan vs. State of Rajasthan*¹, which held to the same effect as was observed by this Court in the interim order.

5. In that view of the matter, we find no justification for the High Court to have imposed the condition that the appellant, Vikas Kumar, should furnish a bank guarantee for a large sum of money as a condition precedent for grant of bail.

6. The appeals are, accordingly, allowed, setting aside the said condition imposed in the order dated 21.11.2025 passed by the High Court in Criminal Miscellaneous Bail Application No. 15192/2025. The order dated 09.01.2026 passed by the High Court in S.B. Criminal Miscellaneous Application No. 658/2025, is also set aside.

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

.....J.
(SANJAY KUMAR)

.....J.
(K. VINOD CHANDRAN)

NEW DELHI;
APRIL 09, 2026.

1 2023 SCC OnLine SC 1242

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 for Special Leave to Appeal (Crl.) Nos. 2643-2644/2026

[Arising out of impugned final judgment and order dated 09-01-2026 in SBCRMBA No. 658/2025 and 21-11-2025 in SBCRMBA No. 15192/2025 passed by the High Court of Judicature for Rajasthan at Jaipur]

VIKASH KUMAR

Petitioner(s)

VERSUS

STATE OF RAJASTHAN

Respondent(s)

(FOR ADMISSION and IA No. 47660/2026 - EXEMPTION FROM FILING O.T.)

Date : 09-04-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SANJAY KUMAR
HON'BLE MR. JUSTICE K. VINOD CHANDRAN

For Petitioner(s) :

Mr. Tarun Bhati, AOR
Mr. Gagandeep Kulyana, Adv.
Mr. Abhishek Sharma, Adv.
Mr. Shubham Goel, Adv.
Mr. Manu Bidhuri, Adv.
Mr. Pankaj Balwan, Adv.
Mr. Utkarsh, Adv.
Mr. Gaurav Kumar, Adv.
Ms. Archana Jain, Adv.
Mr. Harsh Vardhan Saini, Adv.

For Respondent(s) :

Mr. Saurabh Rajpal, Adv.
Mr. Vinay Kumar Singh, Adv.
Ms. Nidhi Jaswal, AOR

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

Leave granted.

The appeals are allowed, setting aside the condition imposed in the order dated 21.11.2025 passed by the High Court in Criminal Miscellaneous Bail Application No. 15192/2025, in terms of the

signed order. The order dated 09.01.2026 passed by the High Court in S.B. Criminal Miscellaneous Application No. 658/2025, is also set aside.

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

(DEEPAK GUGLANI)
DEPUTY REGISTRAR

(PREETI SAXENA)
COURT MASTER (NSH)

(signed order is placed on the file)