

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NOS..... .OF 2026
(SPECIAL LEAVE PETITION (CrI.) NOS. 5171-5172/2026)

ARCHANA KANAK AMIN

APPELLANT(S)

VERSUS

THE STATE OF GUJARAT & ANR.

RESPONDENT(S)

WITH

CRIMINAL APPEAL NOS..... .OF 2026
(SLP(CrI) No. 5245-5246/2026)

ORDER

1. Leave granted.
2. Since the issues raised in all the captioned appeals are the same, the challenge is also to the self-same order passed by the High Court and the parties are also the same, those

were taken up for hearing analogously and are being disposed of by this common judgment and order.

3. These two appeals arise from a common order passed by the High Court dated 16.01.2026 in four Criminal Revision Applications preferred by the appellants before us.

4. The appellants are husband and wife. The respondent no.2 before us is the original complainant.

5. It appears from the materials on record that the appellants were put to trial for the offence punishable under Section 138 of the Negotiable Instruments Act, 1881 (for short, "the NI Act").

6. It is the case of the complainant that there was a transaction between him and the appellants and in discharge of a legally enforceable debt seven cheques were issued of different amounts aggregating of Rs.1,10,00,000/- (Rupees One crore and ten lakh only).

7. The seven cheques ultimately came to be dishonoured for want of sufficient funds in the account maintained by the appellants.

8. The Trial Court held them guilty and sentenced them to

undergo two years of simple imprisonment with fine.

9. The appellants being dissatisfied with the judgment and order of conviction passed by the Trial Court preferred Criminal Appeals in the Sessions Court. The criminal appeals also came to be dismissed.

10. In such circumstances referred to above, they went before the High Court. The High Court admitted the four revision applications preferred by the appellants and ordered release on bail subject to the condition that the appellants would have to deposit an amount of Rs.50,00,000/- (Rupees Fifty lakh only) in five equal installments of Rs.10,00,000/- (Rs. Ten lakh only) each starting from 31.01.2026 with the Trial Court.

11. Para 6.1. of the impugned order passed by the High Court reads thus:-

"6.1 Subject to the applicants depositing an amount of Rs.50,00,000/- in 5 equal installments of Rs. 10,00,000/- each starting from 31.01.2026 with the trial Court concerned, the sentence imposed upon the applicants herein vide judgment and orders impugned in these revision applications is suspended pending present applications on the conditions that applicants

a) shall execute a personal bond of Rs.10,000/-, each with one surety each of the like amount. Bail bonds before the trial Court

concerned;
b) shall not misuse the liberty granted by this Court;
c) shall furnish the present address of their residences with documentary evidence to the Court concerned at the time of execution of the bond;
d) shall not leave India without prior permission of this Court;
e) shall proceed with the Criminal Revision Applications as and when listed and shall not prolong the hearing of the same."

12. The appellants being dissatisfied with the condition imposed by the High Court are here before us with the present appeals.

13. We heard Ms. Aastha Mehta, the learned counsel appearing for the appellants and Ms. Meera Kaura, the learned counsel appearing for the respondent no.2.

14. Ms. Mehta brought to our notice that out of Rs.50,00,000/- (Rs. Fifty lakh only) to be deposited in five equal installments as directed by the High Court, the appellants have deposited an amount of Rs.20,00,000/- (Rupees Twenty lakh only) with the Trial Court. This amount came to be deposited in two tranches, the first on 31.1.2026 and the second on 03.03.2026 respectively.

15. The appellants have highlighted financial difficulties on

their part to further comply with this particular direction imposed by the High Court.

16. Since the High Court has thought fit to hear the revision applications on merits and has admitted the revision petitions, we are of the view that failure to deposit the balance amount should not cause any prejudice insofar as the main matters are concerned.

17. In the result, we modify the order passed by the High Court to the extent that as the amount of Rs.20,00,000/- (Rs. Twenty lakh only) has been deposited, the appellants need not deposit the balance amount of Rs.30,00,000/- (Rupees thirty lakh only).

18. The order of the High Court is modified to the aforesaid extent.

19. The High Court may endeavour to take up all four criminal revision applications for final hearing in near future and that should put an end to this entire litigation.

20. It will be in the interest of both the parties to sit, talk and reach to some amicable settlement so as to put an end to this entire litigation.

21. In view the aforesaid, these appeals are partly allowed.

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

.....J.
[J.B.PARDIWALA]

.....J.
[VIJAY BISHNOI]

New Delhi
21st April, 2026.

ITEM NO.5

COURT NO.7

SECTION II-E

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition for Special Leave to Appeal (Crl.) No.5171-5172/2026

[Arising out of impugned final judgment and order dated 16-01-2026 in CRLRA No. 108/2026 16-01-2026 in CRLRA No. 113/2026 passed by the High Court of Gujarat at Ahmedabad]

ARCHANA KANAK AMIN

Petitioner(s)

VERSUS

THE STATE OF GUJARAT & ANR.

Respondent(s)

IA No. 89075/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

WITH

SLP(Crl) No. 5245-5246/2026 (II-E)
FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 89770/2026, IA No. 89770/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

Date : 21-04-2026 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE VIJAY BISHNOI

For Petitioner(s) : Ms. Aastha Mehta, Adv.
Mr. Brijesh Limbachia, Adv.
Ms. Prerana Mohapatra, Adv.
Ms. Prina Sharma, Adv.
Mr. Anshuman Srivastava, AOR

For Respondent(s) :Ms. Swati Ghildiyal, AOR

**Ms. Meera Kaura, AOR
Mr. Tejas Patel, Adv.
Ms. Ritika Saini, Adv.
Mr. Vikash Vadit, Adv.
Ms. Zainab Hussain, Adv.
Mr. Prince Goyal, Adv.
Mr. Akshay, Adv.
Ms. Preeti Chauhan, Adv.
Mr. Pawan Aneja, Adv.**

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

- 1. The appeals are partly allowed in terms of the signed order.**
- 2. Pending application(s), if any, stands disposed of.**

**(CHANDRESH)
ASTT. REGISTRAR-cum-PS**

**(POOJA SHARMA)
COURT MASTER (NSH)**

(Signed order is placed on the file)