

**IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPEAL No. _____ OF 2026

**[@SPECIAL LEAVE PETITION (CRL.) No. _____ OF 2026]
{@SPECIAL LEAVE PETITION (CRL.) Diary No. 11911 OF 2026}**

WASIM SIDDIQUE BAWLA

...APPELLANT

VERSUS

DIRECTORATE OF ENFORCEMENT & ANR.

...RESPONDENTS

ORDER

1. Leave granted.
2. The High Court of Judicature at Bombay¹ by the impugned judgment and order dated 28th November, 2025 has rejected the application by the appellant for modification of condition of bail by the following order:

“1) The learned Senior Counsel for the Applicant submitted that Condition Nos. (iii) and (vi) of paragraph 36 of the Order dated 17th May, 2024 passed by this Court thereby granting bail to the Applicant, may be relaxed due to efflux of time.

2) The said bail Order was assailed before the Hon’ble Supreme Court by way of Special Leave to Appeal (Crl.) No(s). 16656 of 2024, by the Respondent-ED. Although the Hon’ble Supreme Court dismissed the Appeal, however, in paragraph 5, it is observed that, while granting bail, this Court has imposed the stringent conditions. Further, in paragraph 7 it is observed that no case is made out for interference with the discretion exercised by the learned Single Judge of this Court while granting bail.

3) In this peculiar situation, the learned counsel for the Applicant seeks leave to withdraw the Application.

4) Leave to withdraw is granted.

1 High Court

- 5) Application stands disposed of as withdrawn.”
3. The High Court, by its order dated 17th May, 2024, granted regular bail to the appellant. This order came to be challenged, at the instance of the Enforcement Directorate, before this Court in SLP (Crl.) No.16656 of 2024. The SLP came to be dismissed by a coordinate bench of this Court *vide* order dated 13th August, 2025. Appellant then applied to the High Court for modification of the conditions of bail, which came to be dismissed by the impugned order in the terms set out above.
 4. Having heard learned counsel appearing for the parties, we are of the considered opinion that the order of the High Court is patently erroneous and cannot be sustained.
 5. Merely because the special leave petition of the Enforcement Directorate was dismissed by this Court on an earlier occasion would not preclude the High Court from considering the prayer for modification of conditions. Dismissal of SLP against an order of bail cannot, *ipso facto*, be held as a stamp of approval of the conditions imposed therein which would continue till the trial is concluded. When bail granted by this Court can well be cancelled by a High Court or a trial court due to change in circumstances, it does not stand to reason as to why the High Court — which granted bail in the first place — cannot modify the conditions.
 6. Appellant is entitled to have his application for modification of conditions of bail to be heard by the High Court afresh. Ordered accordingly.
 7. The matter is remitted back to the High Court with the result that Criminal Bail Application No. 653 of 2024 and connected Interim Application No. 4138 of 2025 shall stand revived.

8. We may also note that the application for modification of conditions of bail was listed before a learned Judge of the High Court other than the learned Judge who granted bail.
9. This Court in ***Shekhar Prasad Mahto v. Jharkhand High Court***² directed, subject to conditions mentioned therein, that all bail applications from the same FIR must be listed before the same Judge.
10. Since we are remitting the application for modification of conditions of bail to the High Court for fresh hearing, it would be desirable if the application is considered by the learned Judge who had the occasion to grant bail to the appellant *vide* order dated 17th May, 2024.
11. Let the application be considered in accordance with law as expeditiously as possible.
12. All points on merits are left open to be considered by the High Court.
13. The appeal is disposed of on the above terms.
14. Pending interlocutory application(s), if any, shall stand disposed of.

.....J.
[DIPANKAR DATTA]

.....J.
[SATISH CHANDRA SHARMA]

**New Delhi;
May 08, 2026.**

ITEM NO.6

COURT NO.8

SECTION II-A

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

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s). 11911/2026

[Arising out of impugned final judgment and order dated 28-11-2025 in IA No. 4138/2025 passed by the High Court of Judicature at Bombay]

WASIM SIDDIQUE BAWLA

Petitioner(s)

VERSUS

DIRECTORATE OF ENFORCEMENT & ANR.

Respondent(s)

IA No. 135556/2026 - CONDONATION OF DELAY IN REFILEING / CURING THE DEFECTS

IA No. 135558/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

Date : 08-05-2026 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE DIPANKAR DATTA
HON'BLE MR. JUSTICE SATISH CHANDRA SHARMA

For Petitioner(s) :Mr. Vikram Chaudhri, Sr. Adv.
Mr. Keshavam Chaudhri, Adv.
Mr. Rishi Sehgal, Adv.
Ms. Hargun Sandhu, Adv.
Mr. Rishab Tewari, Adv.
Ms. Divya Bhagwan, Adv.
Mr. Rijul Seth, Adv.
Mr. Kabir Brar, Adv.
Mr. Nikhil Jain, AOR

For Respondent(s) :Mr. S.D. Sanjay, Ld. ASG
Mr. Zoheb Hussain, Adv.
Mr. Arkaj Kumar, Adv.
Mr. Akshat Agrawal, Adv.
Mr. Aramua Sajau. Adv.
Mr. A.K. Sharma, AOR

Mr. Omkar Jayant Deshpande, Adv.
Mr. Siddharth Dharmadhikari, Adv.
Mr. Aaditya A. Pande, AOR
Mr. Shrirang B. Varma, Adv.

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

1. Delay condoned.
2. Leave granted.
3. The appeal is disposed of in terms of the signed order placed on the file.

(JATINDER KAUR)
P.S. to REGISTRAR

(SUDHIR KUMAR SHARMA)
COURT MASTER (NSH)