

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

**CRIMINAL APPEAL NO. OF 2023
(@ SLP (CRL.) No. 10089/2022)**

ANATBHAI ASHOKBHAI SHAH

APPELLANT(S)

VERSUS

STATE OF GUJARAT & ANR.

RESPONDENT(S)

O R D E R

1. Leave granted.

2. Learned counsel for the parties are not at issue that the facts of this case are identical to one in Criminal Appeal No.186 of 2023.

3. Since the facts are almost identical, we see no reason to deviate from the view taken in the said case vide judgment and order dated 20.01.2023.

4. Following the reasons given in the said judgment and order, we hereby provide that the condition directing the appellant to deposit a sum of Rs.2 crores is not liable to be sustained and is hereby set aside.

5. The rest of the conditions in the impugned order are sustained.

6. The appeal accordingly, stands allowed to that extent. Pending application(s), if any, stand disposed of.

.....J.
(KRISHNA MURARI)

.....J.
(AHSANUDDIN AMANULLAH)

NEW DELHI
17th FEBRUARY, 2023

ITEM NO.6

COURT NO.13

SECTION II-B

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 (CrI.) No(s). 10089/2022

(Arising out of impugned final judgment and order dated 24-08-2022 in CRLMA No. 12344/2022 passed by the High Court Of Gujarat At Ahmedabad)

ANATBHAI ASHOKBHAI SHAH

Petitioner(s)

VERSUS

STATE OF GUJARAT & ANR.

Respondent(s)

(IA No. 160647/2022 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT IA No. 160646/2022 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 17-02-2023 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE KRISHNA MURARI

HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH

For Petitioner(s) Mr. Gopal Shankarnarayan, Sr. Adv.
Mr. V. Elanchezhian, AOR
Mr. S.R. Limbani, Adv.
Mr. Shafik Ahmed, Adv.
Mr. Nandlal Kumar Mishra, Adv.
Mr. Danuish Saifi, Adv.
Mr. Rahul Yadav, Adv.
Mr. Satish Solanki, Adv.
Mr. Aditya Kaushik, Adv.

For Respondent(s) Ms. Deepanwita Priyanka, AOR
Ms. Aastha Metha, Adv.

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

Leave granted.

The appeal is allowed in terms of the signed order. Pending application(s), if any, shall stand disposed of.

(Geeta Ahuja)
Assistant Registrar-cum-PS

(Beena Jolly)
Court Master

(Signed Order is placed on the file)