

2025 LiveLaw (SC) 612

IN THE SUPREME COURT OF INDIA

B.R. GAVAI; CJI., AUGUSTINE GEORGE MASIH; J.

PETITION FOR SPECIAL LEAVE TO APPEAL (CRL.) NO. 5480/2025; 22-05-2025

LAKSHYA TAWAR *versus* CENTRAL BUREAU OF INVESTIGATION

Bail - Case Delayed by 27 Adjournments in High Court - Prompt Adjudication in Matters of Personal Liberty - The Supreme Court granted bail to the petitioner, incarcerated for over four years, due to the High Court's repeated adjournment of the bail application on 27 occasions. The High Courts must not indefinitely delay matters concerning personal liberty. Noting that the complainant's evidence was recorded and only three of 365 witnesses had been examined, the Court deemed the pending High Court bail application infructuous and granted bail, despite opposition from the CBI citing the petitioner's involvement in 33 other cases. The Court emphasized the need for timely judicial action in cases impacting personal liberty. (Para 5)

[Arising out of impugned final judgment and order dated 20-03-2025 in CR MBA No. 16417/2023 passed by the High Court of Judicature at Allahabad]

For Petitioner(s): Mr. Raja Choudhary, Adv. Mr. Rajesh Singh Chauhan, AOR

For Respondent(s): Mr. Raja Thakare, ASG Mr. Bhuvan Kapoor, Adv. Mr. Varun Chugh, Adv. Mr. Mukesh Kumar Maroria, AOR

ORDER

1. This is a petition seeking grant of bail.
2. The grievance of the petitioner is that his application for grant of bail is pending before the High Court for a long time. The High Court adjourned the matter on 27 occasions. A perusal of the impugned order dated 20.03.2025 would reveal that on the said date the High Court had adjourned the matter for consideration after two weeks. In the meantime, the High Court had directed that the evidence of the complainant be recorded.
3. This petition is vehemently opposed by Sh. Raja Thakare, learned Additional Solicitor General appearing on behalf of the respondent/CBI on the ground that the petitioner is involved in various similar matters.
4. The order dated 21.04.2025 passed by us would reveal that we have expressed that normally we would not have entertained the matter, however, we are inclined to issue notice since we have noticed that the matter has been adjourned by the High Court on 27 occasions.
5. In the matters of personal liberty, the High Courts are not expected to keep the matter pending for such a long time and do nothing, except for adjourning from time to time.
6. The petitioner has been incarcerated for a period of more than four years. The complainant's evidence has also been recorded. In that view of the matter, and taking into consideration the peculiar facts and circumstances of the case, we are inclined to grant bail to the petitioner.
7. The petitioner is directed to be released on bail in connection with Special Case No. 02/2022, arising out of FIR No. RC0072020A0004 of 2020, Registered with Police Station CBI, ACB, Dehradun, to the satisfaction of the trial Court.

8. Needless to state that the application of the petitioner filed before the High Court seeking grant of bail would now render disposed of as infructuous.
9. The Special Leave Petition stands disposed of along with pending application(s), if any.

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