IN THE SUPREME COURT OF INDIA

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.3799 OF 2024

(@ SLP(CRL.) No. 6814/2024)

SUREKHA W/O SANJAY SETH **APPELLANT(S)**

VERSUS

STATE OF GUJARAT **RESPONDENT(S)**

O R D E R

1. **Leave granted.**
2. **We have heard learned senior counsel for the appellant and learned counsel for the respondent-State.**
3. **The sum and substance of the prosecution case is that the**

Signature Not Verified
Digitally signed by SWETA BALODI
Date: 2024.09.11 17:21:00 IST
Reason:

appellant being the director in connivance with the others is involved in forging the documents for the purpose of getting statutory benefits with respect to customs duty and GST liability. Learned counsel for the appellant submitted that despite letters written by the appellant indicating her willingness to cooperate with the investigation, the Investigation Officer has not chosen to call her.

4. **By taking into consideration the fact that earlier a complaint was registered at the instance of another director, of the company in which the present appellant is also a director and the present proceeding being initiated in pursuance to the statement given to one of the employees during the investigation conducted thereunder, coupled with the fact that the appellant is a lady, we are inclined to set aside the impugned order and grant anticipatory bail to the appellant. Needless to state that the appellant shall cooperate with the investigation.**

5. **Accordingly, the impugned order stands set aside and the appellant is granted anticipatory bail, subject to the terms and conditions that may be imposed by the Trial Court as it deems fit for the aforesaid purpose.**

6. **The appeal is allowed accordingly.**

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

……J.
[M.M. SUNDRESH]

……J.
[PANKAJ MITHAL]

NEW DELHI;
10th SEPTEMBER, 2024

ITEM NO.5 COURT NO.12 SECTION II-B

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

Petition(s) for Special Leave to Appeal (Crl.) No(s). 6814/2024

(Arising out of impugned final judgment and order dated 25-04-2024 in CRMA No. 6748/2024 passed by the High Court of Gujarat at Ahmedabad)

SUREKHA W/O SANJAY SETH Petitioner(s)

VERSUS

STATE OF GUJARAT Respondent(s)

(IA No. 115116/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 115114/2024 - EXEMPTION FROM FILING O.T.)

Date : 10-09-2024 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE M.M. SUNDRESH
HON'BLE MR. JUSTICE PANKAJ MITHAL

For Petitioner(s) Mr. Abhinav Mukerji, Sr. Adv.
Mr. Aakash Joshi, Adv.
Ms. Mrinal Gopal Elker, AOR
Ms. Khushboo Hora, Adv.
Ms. Chhavi Khandelwal, Adv.

For Respondent(s) Ms. Deepanwita Priyanka, Adv.
Ms. Swati Ghildiyal, AOR
Ms. Devyani Bhatt, Adv.
Mr. Rishi Yadav, Adv.

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

Leave granted.

The relevant portion of the order reads as under:-

> **‘Accordingly, the impugned order stands set aside and the appellant is granted anticipatory bail, subject to the terms and conditions that may be imposed by the Trial Court as it deems fit for the aforesaid**

purpose.’

The appeal is allowed in terms of the signed order.

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

(SWETA BALODI) **(POONAM VAID)**
COURT MASTER (SH) **COURT MASTER (NSH)**

(Signed order is placed on the file)