

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

Criminal Appeal No.4244 of 2026
(@Special Leave Petition (Crl.) No.10351 of 2026)

Venugopal Jhavar & Anr.

...Appellant (s)

Versus

State of Uttar Pradesh & Anr.

...Respondent (s)

O R D E R

Leave granted.

2. This is a classic case of how the criminal judicial system can be abused to further personal vendetta. The first appellant is a Doctor running an establishment called Deva Institute of Healthcare and Research Pvt. Ltd., Varanasi and the second respondent was an employee of the said institute. On allegations of misconduct levelled, the second respondent is said to have apologized and later resigned from his job. Later to his resignation, he lodged a complaint before the jurisdictional police as per Annexure P1, alleging that on demonetization, the appellants along with three others in the employment of the hospital summoned the complainant to the first appellant's chamber and sought

details regarding the bank accounts of every member of the complainant's household. The complainant was directed to make a deposit of Rs.2,50,000/- in the said bank accounts, which the complainant refused to comply with. Again, he was summoned to the chamber after two days, where the appellant along with other three persons threatened and abused the complainant for not agreeing to make deposit of Rs.10,00,000/- into the four bank accounts of the various members of his family. Later, Annexure P2 complaint was filed, again making the very same allegations but detailing the alleged actions of the appellants herein.

3. The Additional Chief Judicial Magistrate-III, Varanasi recorded the statement of the complainant, his wife and his daughter and issued summons against all the six accused. The appellants challenged the same before the learned Sessions Judge, Varanasi, who remanded the matter to the learned Magistrate. Again, the ACJM III passed order dated 22.02.2019 produced as Annexure P8, which led to the instant proceedings before the High Court. The High Court on the premise that the inconsistencies noticed and the lack of medical evidence

are matters to be adjudicated in a proper trial, refused to interfere.

4. The very allegations have a ring of falsehood and the second respondent obviously has not attempted to challenge his illegal termination on the alleged fabrication of a resignation letter. The second respondent, who admits to have been an employee of the first appellant, though issued with notice, has not appeared before this Court. The very allegation raised is that the second respondent and his family members were threatened, abused and assaulted for reason of refusing to deposit amounts in their personal bank accounts, when demonetization was announced. The deposit of amounts after announcement of demonetization definitely would attract scrutiny, and the allegation levelled on the face of it is false and is only a figment of imagination. Also considering the fact that the second respondent has not attempted to challenge his severance from employment, which is by a resignation letter alleged to have been obtained from the second respondent through coercion, we find the complaint itself to be *mala fide* and a clear abuse of the process of law.

5. We find absolutely no reason for ACJM III, Varanasi to proceed with the complaint No.235/2017 filed before that Court. We set aside the order passed at Annexure P8 and quash the complaint. No further proceedings shall be taken in the complaint.

6. The appeal stands allowed.

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

..... J.
(J. B. PARDIWALA)

..... J.
(K. VINOD CHANDRAN)

NEW DELHI;
SEPTEMBER 03, 2026.

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 for Special Leave to Appeal (Crl.) No.10351/2026

[Arising out of impugned final judgment and order dated 29-04-2026 in A482 No. 7686/2020 passed by the High Court of Judicature at Allahabad]

VENUGOPAL JHAWAR & ANR.

Petitioner(s)

VERSUS

STATE OF UTTAR PRADESH & ANR.

Respondent(s)

(IA No. 167896/2026 - PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS/ANNEXURES)

Date : 03-09-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE K. VINOD CHANDRAN

For Petitioner(s) :

Mr. Siddharth Dave, Sr. Adv.
Ms. Mrinal Kanwar, AOR
Mr. Vaibhav Rajsingh Rathore, Adv.
Ms. Arundati Mukherjee, Adv.
Ms. Nandini Singh Parmar, Adv.

For Respondent(s) :

Mr. Garvesh Kabra, AOR
Mrs. Pooja Kabra, Adv.
Mrs. Nikita Kabra Jaju, Adv.
Mr. Ankur Agnihotri, Adv.
Mr. Yashasvi Virendra, Adv.
Ms. Vaibhavi Maheshwari, Adv.

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

Leave granted.

The appeal stands allowed, in terms of the signed order.

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

(VISHAL ANAND)
DEPUTY REGISTRAR

(POOJA SHARMA)
COURT MASTER (NSH)

(Signed Order is placed on the file)