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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 6442/2026

SIDDHARTH VARADARAJAN

.....Petitioner

Through: Ms. Nitya Ramakrishna, Sr. Advocate with Mr. Archit Krishna, Mr. Indronil Choudhry, and Mr. Ashutosh Shukla, Advocates.

versus

UNION OF INDIA

.....Respondent

Through: Mr. Chetan Sharma ASG, Mr. Nishant Gautam CGSC, Mr. Ashish Dixit CGSC, Mr. Vineet Negi, Ms. Kavya Shukla Mr. Vibhav V. Nath, Mr. Amit Gupta, Mr. Shubham Sharma,. Mr. Yashwardhan Sharma, Mr. Naman, Advocates and Mr. Akash Gupta Government Pleader for UOI.

CORAM:

HON'BLE MR. JUSTICE PURUSHAINDR KUMAR KAURAV

ORDER

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14.05.2026

CM APPL. 31783/2026

1. Mr. Chetan Sharma, learned ASG has brought to the notice of the Court an order dated 15.05.2020 (“**Said Order**”) passed by the Allahabad High Court in Bail No. 2776/2020 in the case of petitioner herein i.e., Siddharth Varadarajan.



2. In para. 58 of the Said Order the Court issued the following directions:

“58. *The applicant shall abide by the following conditions:*

1. The applicant shall not leave India during the currency of trial without prior permission from the concerned trial Court.

2. The applicant shall surrender his passport to the concerned trial Court or before this Court forthwith. His passport will remain in custody of the concerned trial Court/with the registry of this Court.

3. The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the dates fixed for evidence and the witnesses are present in court. In case of default of this condition, it shall be open for the trial court to treat it as abuse of liberty of bail and pass orders in accordance with law to ensure presence of the applicant.

4. In case, the applicant misuses the liberty of bail, the trial Court concerned may take appropriate action in accordance with law.

5. The applicant shall remain present, in person, before the trial court on the dates fixed for (i) opening of the case, (ii) framing of charge and (iii) recording of statement under Section 313 Cr.P.C. If in the opinion of the trial court default of this condition is deliberate or without sufficient cause, then it shall be open for the trial court to treat such default as abuse of liberty of his bail and proceed against him in accordance with law.

6. The party shall file computer generated copy of such order downloaded from the official website of High Court Allahabad.

7. The computer generated copy of such order shall be self attested by the counsel or the party concerned.

8. The concerned Court/Authority/Official shall verify the authenticity of such computerized copy of the order from the official website of High Court Allahabad and shall make a declaration of such verification in writing.”

[Emphasis Supplied]

3. Additionally, Mr Sharma has also apprised this Court of the Charge-Sheet filed in relation to the petitioner before the Court of competent jurisdiction in Uttar Pradesh.

4. A perusal of the entire pleadings and the oral submissions made by the learned senior counsel appearing for the petitioner, nowhere discloses



the aforementioned binding directions of the Allahabad High Court in the Said Order.

5. It be noted that the Supreme Court in *S.J.S. Business Enterprises (P) Ltd. v. State of Bihar*,¹ has held that as a general rule, the suppression of material fact by a litigant disqualifies such litigant from obtaining any relief. This rule has been evolved out of the need of the Courts to deter a litigant from abusing the process of Court by deceiving it. Similar view has been taken in the case of *General Manager, Haryana Roadways v. Jai Bhagwan & Anr.*² and *Prestige Lights Ltd. v. State Bank of India*.³ Reliance may also be placed on another decision of the Supreme Court in *The Auroville Foundation v. Natasha Storey*.⁴

6. Having considered the aforesaid facts and circumstances, the Court is of the *prima facie* opinion that the petitioner, who through this writ petition sought the exercise of this Constitutional Court's discretionary and equitable jurisdiction, is guilty of suppressing material facts.

7. At this stage, learned senior counsel for the petitioner has attempted to explain the circumstances leading to the aforementioned non-disclosure; however, the Court deems it appropriate to direct for the issuance of notice to the petitioner to file an appropriate affidavit and to explain his conduct.

8. Let the petitioner to do the same within a period of seven (7) working days from today.

9. In view of the aforesaid, all orders passed by this Court in this writ petition i.e., W.P.(C) 6442/2026 are, hereby, recalled and the said petition is

¹ AIR 2004 SC 2421.

² (2008) 4 SCC 127.

³ (2007) 8 SCC 449.

⁴ 2025 INSC 348.



restored to its original number.

10. List on 25.05.2026.

PURUSHAINDR KUMAR KAURAV, J

MAY 14, 2026

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