

## Supreme Court Stays Telangana High Court's Transit Anticipatory Bail to Congress Leader Pawan Khera in Assam FIR Case



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**New Delhi/Guwahati, April 15, 2026 —** In a significant development, the Supreme Court on Wednesday stayed the one-week transit anticipatory bail granted by the Telangana High Court to Congress leader and AICC Media & Publicity Department Chairman Pawan Khera in connection with an FIR registered by Assam Police.

A bench comprising Justices J.K. Maheshwari and Atul S. Chandurkar expressed surprise at the Telangana High Court's order, citing concerns over territorial jurisdiction, alleged forum shopping, and a discrepancy in documents submitted by Khera — specifically, an Aadhaar card where the front side showed his details while the back indicated his wife's address in Hyderabad.

The court observed that Khera appeared to have used a “forged document” to establish a connection to Telangana and thereby “take advantage” of its jurisdiction. It described the approach as a potential “complete abuse of process.”

## **Background of the Case**

The controversy erupted on April 5, 2026, when Pawan Khera, at a press conference in Delhi, alleged that Riniki Bhuyan Sarma, wife of Assam Chief Minister Himanta Biswa Sarma, holds three active foreign passports — from the United Arab Emirates (UAE Golden Card), Antigua and Barbuda, and Egypt — along with undisclosed properties in Dubai and substantial business interests in the United States (claimed to be worth around Rs 52,000 crore involving the family).

Khera questioned how she could hold multiple passports in light of India's single-citizenship policy and raised concerns over possible violations of citizenship and disclosure norms in election affidavits.

Assam CM Himanta Biswa Sarma and his wife strongly denied the allegations, calling them “fabricated,” “malicious,” and “Congress propaganda.” Sarma announced that he and his wife would file both criminal and civil defamation suits against Khera within 48 hours. Riniki Bhuyan Sarma also publicly rejected the claims.

Subsequently, an FIR was lodged at the Guwahati Crime Branch in Assam against Khera under sections related to defamation, forgery, criminal conspiracy, and other provisions. One of the charges carries a maximum punishment of up to 10 years imprisonment.

### **Telangana High Court Order**

On April 10 (or April 9 as per some reports), a single-judge bench of the Telangana High Court (Justice K. Sujana) granted Khera one-week transit anticipatory bail.

The court found his apprehension of arrest “reasonable and supported by material on record” and imposed conditions, including:

- Cooperation with the investigation
- Restraint from making public statements that could prejudice the probe
- Direction to approach the appropriate court in Assam (Gauhati High Court or jurisdictional court) within the week for regular anticipatory bail

The order was intended as temporary protection to allow Khera time to seek relief in the proper forum.

### **Supreme Court Proceedings and Reasons for Stay**

The Assam government challenged the Telangana order before the Supreme Court. Solicitor General Tushar Mehta, appearing for Assam, argued that:

- The petition filed in Telangana did not establish territorial jurisdiction
- Khera failed to explain why he could not approach courts in Assam

- There was clear forum shopping (or “forum choosing”)
- The Telangana High Court overlooked the serious nature of the offences, including one punishable with up to 10 years

The Supreme Court bench noted the glaring discrepancy in the Aadhaar card submitted by Khera and remarked that he had also sought an extension of the bail in some proceedings.

Key observations by the SC bench:

- “We are surprised” at the Telangana High Court’s order
- “By furnishing a forged document, Khera took advantage of the jurisdiction of Telangana High Court”
- The approach amounted to a potential abuse of process

The Supreme Court stayed the operation of the Telangana High Court’s order and issued notice, returnable in three weeks.

Importantly, the apex court clarified that if Khera now applies for anticipatory bail in the competent court in Assam, the stay order will not operate to his detriment and no adverse inference should be drawn against him on that account.

## Political Reactions

The development has intensified the political slugfest between the Congress and the BJP in Assam. Congress leaders have defended Khera, while the ruling BJP has accused the opposition of indulging in baseless and malicious propaganda against the Chief Minister’s family.

The case has also sparked wider debate on dual/multiple citizenship norms, disclosure requirements for public figures, and the limits of political discourse.

## Current Status

- The Telangana High Court's transit bail stands stayed
- Khera can now approach the appropriate court in Assam for anticipatory bail without the Supreme Court's stay prejudicing his application
- The matter will be heard further by the Supreme Court after responses are filed
- The underlying FIR in Assam and the defamation proceedings continue

This case highlights tensions around jurisdiction in multi-state criminal matters, the use of transit anticipatory bail, and the scrutiny of documents in high-profile political cases. Further developments are expected as Khera seeks relief in Assam courts and the Supreme Court examines the matter in detail.

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