



ITEM NO.15

COURT NO.13

SECTION II-E

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(s) for Special Leave to Appeal (Crl.) No. 7405/2025

[Arising out of impugned final judgment and order dated 14-10-2022 in CRA No. 2222/1998 passed by the High Court of Madhya Pradesh Principal Seat at Jabalpur]

NARESH

Petitioner(s)

VERSUS

THE STATE OF MADHYA PRADESH

Respondent(s)

IA No. 108728/2025 - EXEMPTION FROM FILING C/C OF THE
IMPUGNED JUDGMENT, IA No. 108727/2025 - EXEMPTION FROM FILING
O.T.

Date : 10-12-2025 This matter was called on for hearing
today.

CORAM :

HON'BLE MR. JUSTICE AHSANUDDIN AMANULLAH
HON'BLE MR. JUSTICE K. VINOD CHANDRAN

For Petitioner(s) Mr. Md. Farman, AOR
Mr. Veer Prataap Singh, Adv.
Mr. Aditya Tanwar, Adv.

For Respondent(s) Mr. V.V.V. Pattabhiram, D.A.G.
Ms. Mrinal Gopal Elker, AOR
Mr. Amit Sharma, Adv.

O R D E R

Heard learned counsel for the petitioner/appellant
and learned counsel for the State.

2. Leave granted.

3. The present appeal arises out of an order convicting
the appellant and sentencing him to undergo RI for 10

years and fine of Rs.5,000/- (Rupees Five Thousand) with default stipulation, under Section 376(2) of the Indian Penal Code by the Trial Court in Special Case No.183/97 which has been affirmed by the High Court and is impugned herein.

4. Learned counsel for the appellant submits that the very genesis and narration of the sequence of events in the FIR itself indicates that the story is unbelievable. It was submitted that in the deposition before the Court, the husband of the prosecutrix/victim admits that he had earlier lodged a case against the appellant and two other persons. In that background, it was submitted that when the allegation is that the appellant and other co-accused had chased the husband and he managed to run away and they are said to return to the house and then commit the offence in the manner narrated also exposes the falsity.

5. It was submitted that even the Doctor has not found any evidence of any forced sexual intercourse. Learned counsel contended that the appellant has undergone more than 4 ½ years in actual custody.

6. Learned counsel for the appellant submits that the Court may consider to suspend the sentence and release the appellant on bail.

7. Learned counsel for the State submits that the prosecutrix/victim version has been relied upon which cannot be faulted.

8. Having considered the matter and going through the

materials on record, we are inclined to allow the prayer for suspension of sentence and release of the appellant on interim bail.

9. Accordingly, the sentence of the appellant stands suspended and he is directed to be released on interim bail, subject to the conditions as may be imposed by the Trial Court concerned. One of the conditions which shall also imposed on the appellant is that, upon his release, the appellant shall not interact with the prosecutrix/victim or her family members and shall also neither interact nor intimidate or harass the prosecutrix/victim and her family members.

10. Let the appellant implead the prosecutrix/victim as respondent no.2 by masking her name as 'X'. Notice be issued to the respondent no.2. Amended memo of parties be filed within one week from today.

11. List on 18.03.2026.

(NIRMALA NEGI)
ASTT. REGISTRAR-cum-PS

(ANJALI PANWAR)
ASSISTANT REGISTRAR