

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 (Cr1.) No(s). 4558/2020

(Arising out of impugned final judgment and order dated 17-08-2020
in MCRC No. 27656/2020 passed by the High Court Of M.P At Gwalior)

NIKHIL BHARTI

Petitioner(s)

VERSUS

STATE OF M.P.

Respondent(s)

Date : 28-10-2020 This petition was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE ASHOK BHUSHAN
HON'BLE MR. JUSTICE R. SUBHASH REDDY
HON'BLE MR. JUSTICE M.R. SHAHFor Petitioner(s) Mr. A.K. Shrivastava, Sr. Adv.
Ms. Kajal Sharma, AOR
Mr. Rajiv Bakshi, Adv.
Mr. Ayush Chourasia, Adv.

For Respondent(s) Mr. Gopal Jha, AOR

UPON hearing the counsel the Court made the following

O R D E R

We have heard learned counsel for the parties.

This special leave petition has been filed against the order dated 17.08.2020 passed by the High Court of Madhya Pradesh rejecting the bail application filed by the petitioner under Section 439 of the Code of Criminal Procedure [CrPC].

The petitioner is an accused in a Case Crime No. 192 of 2020 under Sections 201, 406, 409, 420 and 34 of the Indian Penal Code [IPC]. FIR was lodged against the petitioner stating that the petitioner has not paid the amount of Rs. 18,26,203/- for grains received and has paid only Rs. 2,00,000/-.

Learned counsel for the petitioner submits that a settlement dated 09.08.2020 has already been entered between the parties which is filed as Annexure P-4 under which part payment was made.

Be that as it may, looking into the facts of the present case and the allegations made against the petitioner, we are of the view that the present is the case of grant of bail to the petitioner.

Learned counsel for the petitioner submits that the petitioner shall honour the settlement and shall make the payments as agreed.

In view of the above, we dispose of the special leave petition directing that the petitioner be released on bail in Case Crime No. 192/2020 on such terms and conditions as may be fixed by the Trial Court.

Pending application, if any, stands disposed of.

(MEENAKSHI KOHLI)
AR-CUM-PS

(RENU KAPOOR)
COURT MASTER