

ITEM NO.8

COURT NO.13

SECTION II-A

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No(s). 5851/2020

(Arising out of impugned final judgment and order dated 04-11-2020 in CRA No. 5480/2020 passed by the High Court Of M.P At Gwalior)

SUNIL & ANR.

Petitioner(s)

VERSUS

THE STATE OF MADHYA PRADESH & ANR.

Respondent(s)

IA No. 51986/2022 - APPROPRIATE ORDERS/DIRECTIONS

IA No. 119826/2020 - EXEMPTION FROM FILING AFFIDAVIT

IA No. 119822/2020 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 119817/2020 - EXEMPTION FROM FILING O.T.)

Date : 31-08-2023 This matter was called on for hearing today.

CORAM : HON'BLE MR. JUSTICE C.T. RAVIKUMAR
HON'BLE MR. JUSTICE SUDHANSHU DHULIA

For Petitioner(s) Mr. Shishir Kumar Saxena, Adv.
Mr. Brijendra Singh, Adv.
Mr. Chandra Pratap Singh, Adv.
Mr. Rahul Tomar, Adv.
Ms. Rajeeta Raj, Adv.
Mr. Shashank Singh, Adv.
Mr. Praveen Swarup, AOR

For Respondent(s) Mr. Dharendra Singh Parmar, A.A.G.
Mr. Yashraj Singh Bundela, AOR
Mr. Abhinav Srivastav, Adv.
Mr. Pawan, Adv.
Mr. Dileep Kumar Dubey, Adv.

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

1. The petitioners seek leave to assail the final order dated 4.11.2020 passed by the High Court of Madhya Pradesh, Bench at Gwalior in Criminal Appeal No. 5480/2020. FIR No. 211/2020 was registered at Police Station Bajranggarh, District Guna, M.P. against the petitioners under Sections 294, 352, 500 read with

Section 34 of the Indian Penal Code and also under Sections 3(1)(r), 3(1)(s) and 3(2)(va) of The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. Heard learned counsel for the petitioners and also the Standing Counsel for the State of Madhya Pradesh. On 14.12.2020, this Court passed an order to the effect that the petitioners shall not be arrested in connection with the Case Crime No. 211/2020 registered at Police Station Bajranggarh, District Guna.

3. It is submitted by the learned counsel for the State of Madhya Pradesh that the investigation is complete and chargesheet is ready, prepared to lay before the Trial Court. The said submission would certainly suggest that the petitioners have joined the investigation and furthermore that custodial interrogation is not now required.

4. In the said circumstances, this special leave petition stands disposed of leaving the Respondent to file chargesheet before the Trial Court. Once it is filed before the Court of competent jurisdiction, the petitioners shall apply for regular bail. In case the petitioners file such an application(s) for regular bail, the petitioners shall be released on bail, subject to the conditions to be imposed by the Trial Court, as for the past two and half years or more, they have been enjoying the benefit of bail.

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

(DR. NAVEEN RAWAL)
ASTT. REGISTRAR-cum-PS

(MATHEW ABRAHAM)
COURT MASTER (NSH)