

**IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION**

Criminal Appeal No 641 of 2020

[Arising out of SLP (Crl) No 4688 of 2020 @ D. No 40809/2019]

Lal Mohammad

Appellant(s)

Versus

State of Madhya Pradesh

Respondent(s)

ORDER

- 1 Delay condoned.
- 2 Leave granted.
- 3 The appellant has been denied bail under Section 439 of the Code of Criminal Procedure 1973 by a judgment dated 1 February 2019 of a Single Judge of the High Court of Madhya Pradesh at its Bench at Indore.
- 4 The appellant has been implicated in FIR No 324/2018, registered at Police Station Sanwer, District Indore in Madhya Pradesh and is alleged to have committed offences under Sections 420, 467, 468, 469 and 471 read with Section 120B of the Indian Penal Code.
- 5 Mr Sarvam Ritam Khare, learned counsel appearing on behalf of the appellant submits that (i) the appellant is sixty-four years old and has been in judicial custody since 13 August 2018; (ii) the charge-sheet has been filed after investigation and his continued custody is not necessary; and (iii) the role which has been ascribed to the appellant is merely as a witness to the declaration which is alleged to have been forged and the appellant is not a beneficiary.

- 6 Notice was issued by this Court on 27 November 2019, in pursuance of which the State of Madhya Pradesh has entered appearance through Mr Sunny Choudhary, learned counsel, who has opposed the grant of bail.
- 7 The charge-sheet has been filed. Having regard to the relevant circumstances, we are of the view that it would be appropriate to enlarge the appellant on bail.
- 8 We accordingly direct that the appellant shall be enlarged on bail, subject to such terms and conditions as may be imposed by the Sessions Judge, Indore in Sessions Trial No 660 of 2018.
- 9 The appeal is accordingly disposed of.
- 10 Pending applications, if any, stand disposed of.

.....J.
[Dr Dhananjaya Y Chandrachud]

.....J.
[Indira Banerjee]

New Delhi;
September 29, 2020
CKB

ITEM NO.20 Court 3 (Video Conferencing) SECTION II-A

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

SPECIAL LEAVE PETITION (CRIMINAL) Diary No.40809/2019

(Arising out of impugned final judgment and order dated 01-02-2019
in MCRC No. 34056/2018 passed by the High Court of M.P. at Indore)

LAL MOHAMMAD

Petitioner(s)

VERSUS

THE STATE OF MADHYA PRADESH

Respondent(s)

(With appln.(s) for c/delay in filing SLP and exemption from filing
O.T.)

Date : 29-09-2020 These matters were called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MS. JUSTICE INDIRA BANERJEE

For Petitioner(s) Dr. Sarvam Ritam Khare, AOR
Ms. Shweta Chaurasia, Adv.
Mr. Akash Shukla, Adv.

For Respondent(s) Mr. Sunny Choudhary, Adv.
Mr. Manoj Kumar, Adv.
Mr. Harsh Parashar, AOR

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

- 1 Delay condoned.
- 2 Leave granted.
- 3 The appeal is disposed of in terms of the signed order.
- 4 Pending applications, if any, stand disposed of.

(CHETAN KUMAR)
AR-cum-PS

(SAROJ KUMARI GAUR)
BRANCH OFFICER

(Signed order is placed on the file)