

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

**Criminal Appeal No 410 of 2020
(Arising out of SLP (Crl) No 1584 of 2020)**

Khurshid Khan

Appellant

Versus

State of Madhya Pradesh

Respondent

ORDER

The Court convened through Video Conferencing.

Leave granted.

The appellant has been denied bail, in a fourth bail application filed before the High Court of Madhya Pradesh in connection with Crime No 29/2019 registered at Police Station Kanadiya, District Indore, Madhya Pradesh for the offences under Sections 419, 420, 467, 468 and 471 of the Indian Penal Code. The allegation is that the appellant had sold the same flat to two persons.

The appellant is seventy-six years old. It has been disclosed before the Court that charges were framed on 20 November 2019. The appellant has been in custody since 26 November 2018.

Supporting the submissions of the appellant, Mr. Rajat Mittal, learned counsel submits that on these facts a case for bail has been made out.

Notice was issued on the Special Leave Petition on 20 February 2020. Liberty was granted to serve the Standing Counsel for the State of Madhya Pradesh.

Mr. Rajat Mittal, learned counsel has stated that apart from the service of notice, he had apprised the learned Standing Counsel appearing on behalf of the State of Madhya Pradesh of the proceedings being listed before this Court through the Video Conferencing mode in the current situation.

In the facts which have been narrated above, we are of the view that the continued custody of the appellant is not warranted. Charges have already been framed. The appellant has been in custody for over a year and three months.

In the circumstances, we direct that the appellant be released on bail on his furnishing a personal bond in the sum of Rs 50,000 with one solvent surety of the like amount to the satisfaction of the trial court, subject to the following conditions:

- (i) The appellant shall remain present before the concerned court during the course of the trial unless exempted and shall co-operate in all respects in the expeditious disposal of the proceedings;

- (ii) The appellant shall not leave the country without the permission of the trial court and shall surrender his passport before the trial court unless this already has been done; and
- (iii) The appellant shall mark his presence at the police station concerned once in a month until the trial is completed.

The appeal is accordingly disposed of.

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

.....J.
[Surya Kant]

**New Delhi;
March 27, 2020**

ITEM NO.6

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

Petition(s) for Special Leave to Appeal (CrI.) No.1584/2020

(Arising out of impugned final judgment and order dated 07-01-2020 in MCRC No. 52956/2019 passed by the High Court of M.P. at Indore)

KHURSHID KHAN

Petitioner(s)

VERSUS

THE STATE OF MADHYA PRADESH

Respondent(s)

(With appln.(s) for interim relief and exemption from filing O.T.)

Date : 27-03-2020 These matters were called on for hearing today.

CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD
HON'BLE MR. JUSTICE SURYA KANT

For Petitioner(s)

Mr. Rajat Mittal, AOR

For Respondent(s)

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

The appeal is disposed of in terms of the signed order.

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

(Chetan Kumar)
A.R.-cum-P.S.

(Anand Prakash)
Court Master

(Signed order is placed on the file)