



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

CRIMINAL APPEAL NO.2442 OF 2025
(Arising out of SLP(Criminal) No.3128 of 2025)

GAJENDRA . . . APPELLANT(S)

VERSUS

**THE STATE OF
MADHYA PRADESH** . . . RESPONDENT(S)

J U D G M E N T

1. Leave granted.
2. The present appeal is arising out of the impugned order dated 04.02.2025 passed by the High Court of Madhya Pradesh at Indore in Misc. Criminal Case No.2680 of 2025, whereby the High Court has dismissed the application of the appellant seeking bail in connection with Crime/F.I.R. No.469 of 2024 dated 25.10.2024 registered with Police Station Jobat, District

Alirajpur (M.P.) for the offence under Sections 34(2), 39(A) and 46 of the M.P. Excise Act, 1915.

3. Heard learned counsel for the parties.

4. Having regard to the submissions and to the documents on record, it appears that the Charge Sheet has already been filed against the appellant and he is in judicial custody since more than six months. It is also required to be noted that the maximum punishment prescribed for the alleged offences is three years.

5. Hence, considering the overall facts and circumstances, and without expressing any opinion on the merits of the case, we are inclined to accept the present appeal.

6. Hence, the appellant is directed to be released on bail in connection with Crime/F.I.R. No.469 of 2024 dated 25.10.2024 registered with Police Station Jobat, District Alirajpur (M.P.), subject to the terms and conditions that may be imposed by the Trial Court.

7. It goes without saying that any breach of the conditions that may be imposed by the Trial Court for releasing him on bail or non-cooperation with the Trial Court in proceeding further with the trial, shall entail cancellation of the bail.

8. Subject to the afore-stated, the present appeal is allowed.

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

.....J.
(BELA M. TRIVEDI)

.....J.
(PRASANNA B. VARALE)

NEW DELHI;
06TH MAY, 2025.

ITEM NO.5

COURT NO.9

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).3128/2025

[Arising out of impugned final judgment and order dated 04-02-2025 in MCRC No.2680/2025 passed by the High Court of Madhya Pradesh at Indore]

GAJENDRA

Petitioner(s)

VERSUS

THE STATE OF MADHYA PRADESH Respondent(s)

(IA No. 52744/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No. 52739/2025 - EXEMPTION FROM FILING O.T.)

Date : 06-05-2025 This matter was called on for hearing today.

CORAM : HON'BLE MS. JUSTICE BELA M. TRIVEDI
HON'BLE MR. JUSTICE PRASANNA B. VARALE

For Petitioner(s) : Mr. Aman Malik, AOR
Ms. Prachi Bansal, Adv. [through VC]

For Respondent(s) : Mr. Harmeet Singh Ruprah, D.A.G.
Mr. Pashupathi Nath Razdan, AOR

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

1. Leave granted.

2. In terms of the signed Judgment, the Criminal Appeal is allowed.
3. Pending application(s), if any, shall stand disposed of.

(RAVI ARORA)
COURT MASTER (SH)

(MAMTA RAWAT)
COURT MASTER (NSH)
(signed Judgment is placed on the file)