



IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO.619/2026
(@Petition for Special Leave to Appeal (Crl.) No.1862/2026)

MAHADEV

Appellant(s)

VERSUS

STATE OF MADHYA PRADESH & ANR.

Respondent(s)

O R D E R

1. Leave granted.
2. The present appeal is filed against the order dated 3-12-2025 whereby the High Court has declined to suspend the sentence awarded to the appellant.
3. The appellant has been convicted for the offences punishable under Sections 74, 75(2), 115(2) of Bharatiya Nyaya Sanhita, 2023 and sentenced to undergo 03 years RI & Rs.5,000/- with default stipulation of three months R.I, 02 years RI with fine of Rs.5,000/- with default stipulation, of three months R.I. and for 03 Months R.I. with fine of Rs. 1,000/- with default stipulation of 15 days R.I vide Judgment dated 24.09.2025 in Special case No.17/2025 by Additional Sessions Judge, Dharampuri, District Dhar (M.P.).
4. First application of the appellant was dismissed by the High Court on 24.11.2025.

5. Heard the learned counsel appearing for the appellant and the learned counsel appearing for the State.

6. Having heard the learned counsel appearing for the parties and having gone through the materials available on record, we find that the sentence awarded by the Trial Court is of a specific period and the appeal against the sentence is filed by the appellant in the year 2025 before the High Court. We are of the view that by the time the appeal of appellant will be heard finally by the High Court, there is every possibility that the sentence awarded by the Trial Court and affirmed by the High Court would be undergone by the appellant.

7. In such circumstances, we deem it appropriate to allow this appeal and set the aside the impugned order passed by the High Court.

8. The appellant is ordered to be released on bail, subject to terms and conditions as may be imposed by the Trial Court.

.....J
(J.B. PARDIWALA)

.....J
(VIJAY BISHNOI)

NEW DELHI
2ND FEBRUARY, 2026.

ITEM NO.70

COURT NO.7

SECTION II-E

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 for Special Leave to Appeal (Crl.) No.1862/2026

[Arising out of impugned final judgment and order dated 03-12-2025 in IA No. 16650/2025 In Crl.Appeal No.9784/2025 passed by the High Court of Madhya Pradesh at Indore]

MAHADEV

Petitioner(s)

VERSUS

STATE OF MADHYA PRADESH & ANR.

Respondent(s)

(FOR ADMISSION)

(IA No. 16762/2026 - EXEMPTION FROM FILING O.T.)

Date : 02-02-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA

HON'BLE MR. JUSTICE VIJAY BISHNOI

For Petitioner(s) :

Ms. Prachi Bansal, Adv.

Ms. Niti Richhariya, AOR

Mr. Parv Bansal, Adv.

Ms. Shrinidhi Gattani, Adv.

For Respondent(s) :

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

1. Exemption Application is allowed.
2. Leave granted.
3. The appeal is allowed, in terms of the signed order.
4. Pending applications, if any, also stand disposed of.

(VISHAL ANAND)

ASTT. REGISTRAR-cum-PS

(Signed Order is placed on the file)

(POOJA SHARMA)

COURT MASTER (NSH)