

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION



CRIMINAL APPEAL NO. _____ OF 2026
(@ Special Leave Petition (Crl.) No. 2411/2026)

AADERSH KUMAR UTTAM . . . APPELLANT (S)

VERSUS

STATE OF MADHYA PRADESH . . . RESPONDENT (S)

O R D E R

Leave granted.

This appeal challenges the order dated 17.11.2025 passed by the High Court of Madhya Pradesh at Gwalior in Misc. Criminal Case No. 50799/2025.

Apprehending arrest in connection with crime registered pursuant to F.I.R No.160 of 2022 lodged with Kotwali Lashkar Police Station, District Gwalior in respect of the offences punishable under Sections 420, 120B, 467, 468 and 471 IPC read with 34 of the Indian Penal Code, 1970 [in short, "IPC"], the appellant preferred an application before the High Court seeking anticipatory bail in terms of Section 438 of the Code of Criminal Procedure, 1973 [in short, "CrPC"]

Said application for anticipatory bail has been rejected by the High Court vide impugned order dated 17.11.2025. Hence the instant appeal has been preferred.

This Court vide order dated 13.02.2026 issued notice and granted interim protection from arrest to the appellant.

We have heard learned senior counsel for the appellant and learned counsel for the State and perused the material on record.

Learned senior counsel for the appellant submitted that by an earlier order dated 20.07.2022, the Trial Court had granted the relief of anticipatory bail to the appellant herein. However, subsequently, the offence under Section 471 of the IPC was sought to be added and by way of precaution, the appellant herein filed another application seeking anticipatory bail. However, both the Trial Court as well as the High Court have rejected the said application(s) and hence the appellant has been constrained to file this appeal. He submitted that the appellant has been cooperating with the investigation that is being conducted under Sections 420, 467, 468 and 471 read with Section 120B of the IPC. Further, this Court has granted interim protection vide order dated 13.02.2026.

Hence, the same may be made absolute.

Per contra, learned counsel for the respondent/State, with reference to his counter affidavit submitted that no doubt the appellant has been cooperating with the investigation. However, he contended that there is no merit in this appeal and the same may be dismissed.

Considering the circumstances on record, in our view, the appellant is entitled to the relief claimed under Section 438 of the CrPC.

We, therefore, allow this appeal and set aside the order passed by the High Court dated 17.11.2025. We direct that in the event of arrest of the appellant, the Arresting Officer shall release the appellant on bail subject to furnishing cash security in the sum of Rs.25,000/- (Rupees Twenty-Five Thousand only) with two like sureties.

It is directed that the appellant shall extend complete cooperation in the ensuing investigation. The appellant shall not misuse his liberty and shall not in any way influence the witnesses or tamper with the material on record.

With the aforesaid directions, the criminal appeal is allowed.

.....J.
[B.V. NAGARATHNA]

.....J.
[UJJAL BHUYAN]

NEW DELHI
APRIL 20, 2026

ITEM NO.9

COURT NO.4
S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

SECTION II-E

Petition(s) for Special Leave to Appeal (Crl.) No(s). 2411/2026

[Arising out of impugned final judgment and order dated 17-11-2025 in MISCR No. 50799/2025 passed by the High Court of Madhya Pradesh at Gwalior]

AADERSH KUMAR UTTAM

Petitioner(s)

VERSUS

STATE OF MADHYA PRADESH

Respondent(s)

IA No. 43104/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 43103/2026 - EXEMPTION FROM FILING O.T.

Date : 20-04-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MRS. JUSTICE B.V. NAGARATHNA
HON'BLE MR. JUSTICE UJJAL BHUYAN

For Petitioner(s) :Mr. Puneet Jain, Sr. Adv.
Ms. Christi Jain, AOR
Mr. Sugam Gupta, Adv.
Mr. R S Bansal, Adv.
Mr. Om Sudhir Vidyarthi, Adv.
Ms. Akriti Sharma, Adv.
Mr. Aditya Jain, Adv.
Mr. Siddharth Jain, Adv.
Mr. Yogit Kamat, Adv.

For Respondent(s) :Mr. Dharendra Singh Parmar, A.A.G.
Mr. Aditya Vaibhav Singh Ga, Adv.
Mr. Yashraj Singh Bundela, AOR
Mrs. Pratima Singh, Adv.
Mr. Arpit Garg, Adv.

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

Leave granted.

The Appeal is allowed in terms of the signed order.

Pending application(s) shall stand disposed of.

(NEETU SACHDEVA)
DEPUTY REGISTRAR

(DIVYA BABBAR)
COURT MASTER (NSH)

(signed order is placed on the file)