

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO(S). OF 2026
(Arising out of SLP(Crl.) No(s). 2038/2026)

LUCKY PATIDAR

APPELLANT(S)

VERSUS

STATE OF MADHYA PRADESH

RESPONDENT(S)

O R D E R

1. Leave granted.
2. Heard Mr. Navin Prakash, learned counsel appearing for the appellant and Mr. Abhimanyu Singh, learned counsel appearing for the State.
3. The present appeal calls in question the correctness of the order dated 15.01.2026 in Misc.Criminal Case No.58381/2025 passed by the High Court of Madhya Pradesh Principal Seat at Jabalpur by which the appellant was denied the benefit of bail with regard to Crime No.281/2025 registered at Police Station Misrod, District Bhopal, Madhya Pradesh for the offences punishable under Sections 296, 115(2), 351(2), 3(5) and 109 of the Bharatiya Nyaya Sanhita, 2023 (for short, 'BNS').
4. The case concerns the complaint made by the *de-facto* complainant and a prior complaint made by the side of the appellant. Mr. Navin Prakash, learned counsel for the appellant submits that FIR lodged by the side of the

appellant was first in point of time. Admittedly, its a case where there are cross-cases. The appellant is a student who has just written his 12th standard Board exam. We have examined First Information Report lodged by the *de-facto* complainant. There are overt-acts attributed to the accused *Hariom Patidar* and *Rameshwar @ Bunty*.

5. It is not disputed that accused *Hariom Patidar* and *Rameshwar @ Bunty* are on bail. Independent of the above, there is one other circumstance.

6. When the matter came up on 06.02.2026 before this Court, we enlarge the appellant on interim bail to facilitate him to write the 12th standard Board exam. Thereafter, again when he was wrongly taken into custody back without leave from this Court, we further passed an order on 18.03.2026 continuing his interim bail and releasing him from custody. There are no complaints in the last three months and there have not been any violation of the interim bail conditions. Appellant is also just out of school.

7. Considering special facts and circumstances obtaining in the present case, we set aside the impugned order dated 15.01.2026 passed by the High Court and made the orders of this Court dated 06.02.2026 and 18.03.2026 enlarging the appellant on interim bail, as absolute. The appellant shall remain on bail pending trial on the same terms and conditions.

8. The appeal is disposed of in the above terms.

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

..... J.
[K.V. VISWANATHAN]

..... J.
[VIPUL M. PANCHOLI]

NEW DELHI;
MAY 06, 2026.

ITEM NO.2

COURT NO.16

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(s) for Special Leave to Appeal (Crl.) No(s). 2038/2026

[Arising out of impugned judgment and order dated 15-01-2026 in MCRC No. 58381/2025 passed by the High Court of Madhya Pradesh Principal Seat at Jabalpur]

LUCKY PATIDAR

Petitioner(s)

VERSUS

STATE OF MADHYA PRADESH

Respondent(s)

IA No. 81239/2026 - APPROPRIATE ORDERS/DIRECTIONS, IA No. 36463/2026 - EXEMPTION FROM FILING O.T., IA No. 81240/2026 - EXEMPTION FROM FILING O.T.,

Date : 06-05-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.V. VISWANATHAN
HON'BLE MR. JUSTICE VIPUL M. PANCHOLI

For Petitioner(s) Mr. Navin Prakash, AOR
Mr. D'Souza Noel Jose Bernado, Adv.
Ms. Srishti Prakash, Adv.

For Respondent(s) Ms. Mrinal Gopal Elker, AOR
Mr. Abhimanyu Singh -g.a., Adv.
Mr. Bittu Kumar Singh, Adv.
Ms. Silpi S Swain, Adv.

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

1. Leave granted.
2. The appeal is disposed of in terms of the signed order, which is placed on the file.
3. Pending applications including IA No. 81239/2026 shall also stand disposed of.

(NIRMALA NEGI)
ASTT. REGISTRAR-cum-PS

(MANOJ KUMAR)
COURT MASTER (NSH)