



ITEM NO.806

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.2038/2026

[Arising out of impugned final 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 & ANR.

Respondent(s)

FOR ADMISSION

Date : 18-03-2026 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE J.B. PARDIWALA
HON'BLE MR. JUSTICE K.V. VISWANATHAN

For Petitioner(s) : Mr. Navin Prakash, AOR

For Respondent(s) :

UPON being mentioned the Court made the following
O R D E R

1. This matter was mentioned by Mr. Navin Prakash, the learned counsel, appearing for the petitioner, in the second session.
2. This Court passed the following order on 06.02.2026. The same reads thus:-

"1. Mr. Navin Prakash, learned counsel for the petitioner submits that the petitioner is a student of 12th standard and is aged of 18 years. Mr. Prakash, learned counsel submits that petitioner's board examinations are begin on 10.02.2026.

2. Issue notice, returnable on 27th April, 2026.

3. Mr. Surjeet Singh, learned counsel appearing on advance notice on behalf of the Standing Counsel for the State of Madhya Pradesh takes notice on behalf of the State. Hence, formal service of notice is dispensed with on the State.

4. Considering the fact that the petitioner has to take the examination on 10.02.2026, we are inclined to grant ad-interim bail to the petitioner subject to the satisfaction of 17th

Additional Sessions Judge, Bhopal, Madhya Pradesh.

5. Call the matter on 27th April, 2026.

3. The learned counsel brought to our notice that in pursuance of the order passed by this Court, referred to above, the petitioner was released on bail so that he could appear in the board Examinations, which were to commence on 10.02.2026.

4. However, once the examinations were over, he was taken back in custody. As on date, he is in custody.

5. In our order dated 06.02.2026, referred to above, we never said anything whether the petitioner should be taken back in custody once the examinations are over. We never fixed any particular date for the petitioner to surrender before the Jail Authorities. In such circumstances, the 17th Additional Sessions

Judge, Bhopal, Madhya Pradesh, on its own should not have fixed a particular date for the petitioner to go back to jail.

6. Here is a case wherein the petitioner has been charged for the offence punishable under Section 109 of the Bharatiya Nyaya Sanhita, 2023 (for short, "the BNS, 2023") erstwhile to Section 307 of Indian Penal Code, 1860, i.e., attempt to commit murder. He is 18 years of age. He is a student.

7. We are informed that all other co-accused have been released on bail. Besides, the injured is out of danger and has been discharged from the hospital.

8. In view of the aforesaid, we order that the petitioner be released on bail forthwith, if not required in any other case, on the same terms and conditions as he was released on interim bail.

9. Post this matter for further hearing on

Wednesday, i.e., 25.03.2026 on the top of the Board.

10. The learned counsel also made a request to delete the name of Proforma Respondent No.2. As prayed for, the same may be deleted from the array of the parties at the risk of the petitioner.

11. Let the Cause title be amended accordingly.

(CHANDRESH)
ASTT. REGISTRAR-cum-PS

(POOJA SHARMA)
COURT MASTER (NSH)