



ITEM NO.5

COURT NO.4

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). 4743/2026
[Arising out of impugned final judgment and order dated 29-10-2025
in IA No. 1563/2025 in Criminal Appeal (CRA) No. 6850/2024 passed
by the High Court of Madhya Pradesh Principal Seat at Jabalpur]

PRASHANT THAKUR

Petitioner(s)

VERSUS

STATE OF M.P. & ANR.

Respondent(s)

(IA No. 64936/2026 - EXEMPTION FROM FILING O.T.)

Date : 11-05-2026 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. Sarthak Nema, AOR
Mrs. Udit Maindiretta, Adv.
Mr. Rishabh Dubey, Adv.

For Respondent(s) Mr. Aditya Vaibhav Singh GA, Adv.
Mr. Harmeet Singh Ruprah, AOR
Mr. Gautam Kumar, Adv.
Mr. Kanishk Sharma, Adv.
Mr. Karan Singh, Adv.

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

1. This Special Leave Petition challenges the order dated 29.10.2025 passed by the High Court of Madhya Pradesh at Jabalpur, in I.A. No. 1563/2025 in Criminal Appeal (CRA) No. 6850/2024, whereby the petitioner's application for suspension of sentence was dismissed.

2. The petitioner, Prashant Thakur faced trial in connection with a crime registered pursuant to FIR 320/2020 dated 08.09.2020 lodged with Police Station-Maharajpur, District-Mandla in respect of the offences punishable under Sections 363, 366, 366A, 376(3), 384 and 506 of the Indian Penal Code, 1860 [in short "IPC"] and under Sections 3 and 4 of the Protection of Children from Sexual Offences Act, 2012 [in short "POCSO Act"].
3. The Trial Court *vide* judgment dated 30.05.2024 convicted the petitioner for the offences under Sections 384 and 366 of the IPC and under Section 3 read with Section 4 of the POCSO Act and awarded a sentence of rigorous imprisonment for a period of twenty years, for the offence under Section 3 read with Section 4(ii) of the POCSO Act, and a sentence of rigorous imprisonment for a period of five years, for the offence under Section 366 of IPC. Further, a sentence of three years of rigorous imprisonment was awarded under Section 384 of IPC.
4. The petitioner, being aggrieved by the order of conviction passed by the Trial Court, filed Criminal Appeal (CRA) No. 6850/2024 before the High Court and the same is pending before the High Court. During the pendency of the appeal, the petitioner filed an

application being I.A. No.1563/2025 before the High Court seeking suspension of sentence. The High Court, by the impugned order dated 29.10.2025, dismissed the application filed by the petitioner for suspension of sentence. Hence, the present petition.

5. This Court *vide* its order dated 27.02.2026, issued notice in the instant matter.
6. Heard learned counsel for the petitioner and learned counsel for the State and perused the material on record.
7. Learned counsel for the petitioner submitted that pursuant to the order dated 24.04.2026, the petitioner is present before this Court. Similarly, the so-called victim is also present before this Court.
8. They have been identified by learned counsel for the petitioner as well as learned counsel appearing for the respondent-State.
9. When we queried the parties, they stated that they have indeed got married on 29.01.2024; that the so-called victim is presently a major; the co-called victim also stated that she would reside with her husband, the petitioner herein. Similarly, the petitioner also stated that if suspension of sentence and bail is granted by this Court he would reside with his wife.

10. Learned counsel for the petitioner, therefore, submitted that the relief of suspension of sentence and bail may be granted having regard to the subsequent developments in the case. It was also submitted that the petitioner has a good case on merits. Hence, the relief may be granted to the petitioner herein.
11. Learned counsel for the respondent-State submitted that having regard to the subsequent developments appropriate orders may be made during the pendency of this petition.
12. Considering the facts on record, in our view, the case for suspension of sentence and interim bail is made out.
13. We, therefore, direct as under:

"The petitioner shall be produced before the concerned Trial Court as early as possible and the Trial Court shall release him on interim bail, subject to such conditions as it may deem appropriate to impose to ensure his presence in the proceedings."
14. The petitioner shall not misuse his liberty in any manner.
15. Any infraction of the conditions shall entail cancellation of the suspension of sentence granted to the petitioner.

**16. List on 26.10.2026 for consideration of the application
filed under Article 142 of the constitution of India.**

**(RADHA SHARMA)
ASTT. REGISTRAR-cum-PS**

**(DIVYA BABBAR)
COURT MASTER (NSH)**