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ITEM NO.53                      REVISED  
   COURT NO.5                      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). 6498/2026

[Arising out of impugned final judgment and order  
dated 10-11-2025 in CRLA No. 3414/2023 passed by  
the High Court of Madhya Pradesh Principal Seat at  
Jabalpur]

CHIRANJIT SARKAR    Petitioner(s)

VERSUS

THE STATE OF MADHYA PRADESH & ANR. Respondent(s)

Date : 18-05-2026 This matter was called on for  
hearing today.

CORAM :

HON'BLE MR. JUSTICE M.M. SUNDRESH  
HON'BLE MR. JUSTICE NONGMEIKAPAM KOTISWAR SINGH

For Petitioner(s)    Mr. Uday Gupta, Sr. Adv.  
   Ms. Shivani Lal, Adv.  
   Mr. Sourabh Bhushan  
   Shrivastava, Adv.  
   Mr. Hiren Dasan, Adv.  
   Mr. Ajay Sharma, Adv.  
   Mr. Unmukt Gera, Adv.  
   Mr. Rajeev Kumar Gupta, Adv.  
   Mr. Mahendra Mali, Adv.  
   Mr. Deepanshu Rana, Adv.  
   Mr. Priyaranjan Singh, Adv.  
   Mr. Parminder Singh Bhullar,  
   AOR  
For Respondent(s)    Ms. Mrinal Gopal Elker, AOR

Mr. Abhimanyu Singh, Adv.  
Mr. Manoj Kumar, Adv.  
Ms. Silpi S. Swain, Adv.  
Ms. Archana, Adv.  
Mr. Srajan Yadav, Adv.

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

Leave granted.

The appellant stands convicted by the Trial Court for the offence punishable under Section 376(3) of the Indian Penal Code, 1860 read with Section 3(a) and 4(2) of the Protection of Children from Sexual Offences (POCSO) Act, 2012. He has been sentenced to undergo rigorous imprisonment for a period of 20 years and on appeal, the High Court has affirmed the same. Aggrieved, the appellant is before us.

Learned Senior counsel appearing for the appellant submits that witnesses have turned hostile qua the age of the prosecutrix and despite the same, conviction has been rendered and confirmed.

Learned counsel appearing for the State submits that the evidence clearly points towards the appellant having committed the offence.

The fact remains that the witnesses, including the prosecutrix and her family, have turned hostile with respect to the age of the prosecutrix. The appellant was 25 years of age at the time of occurrence and has already undergone imprisonment for more than 3 years.

Considering the above, there are contestable issues in this appeal that require adjudication. Hence, we are inclined to suspend the sentence of the appellant and grant him bail, during the pendency of the present appeal.

Accordingly, the sentence of the appellant stands suspended and he is granted bail, during the pendency of the present appeal, on terms and conditions to the satisfaction of the concerned Trial Court.

Ordered accordingly.

List the appeal for hearing in its due course.

(ASHA SUNDRIYAL)  
DEPUTY REGISTRAR

(POONAM VAID)  
ASSISTANT REGISTRAR



Mr. Manoj Kumar, Adv.  
Ms. Silpi S. Swain, Adv.  
Ms. Archana, Adv.  
Mr. Srajan Yadav, Adv.

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Learned Senior counsel appearing for the appellant submits that witnesses have turned hostile qua the age of the prosecutrix and despite the same, conviction has been rendered and confirmed.

Learned counsel appearing for the State submits that the evidence clearly points towards the appellant having committed the offence.

The fact remains that the witnesses, including the prosecutrix and her family, have turned hostile with respect to the age of the prosecutrix. The appellant was 20 years of age at the time of occurrence and has already undergone imprisonment for more than 3 years.

Considering the above, there are contestable issues in this appeal that require adjudication. Hence, we are inclined to suspend the sentence of the appellant and grant him bail, during the pendency of the present appeal.

Accordingly, the sentence of the appellant stands suspended and he is granted bail, during the pendency of the present appeal, on terms and conditions to the satisfaction of the concerned Trial Court.

Ordered accordingly.

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List the appeal for hearing in its due course.

(ASHA SUNDRIYAL)  
DEPUTY REGISTRAR

(POONAM VAID)  
ASSISTANT REGISTRAR