



**IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION**

**CRIMINAL APPEAL No.2131/2026  
[Arising out of SLP(Crl.) No.5015/2026]**

**HITESH GUPTA**

**APPELLANT**

**VERSUS**

**THE STATE OF MADHYA  
PRADESH**

**RESPONDENT**

**ORDER**

1. Leave granted.
2. The High Court of Madhya Pradesh at Jabalpur, by the impugned judgment and order dated 12<sup>th</sup> February, 2026, has rejected the appellant's prayer for bail in anticipation of arrest.

3. Appellant figures as an accused in FIR No.1126 of 2024 dated 29<sup>th</sup> November, 2024 registered at Police Station Majholi, District Siddhi under Sections 318(4), 338, 336(3), 340(2) & 3(5) of the Bharatiya Nyaya Sanhita (BNS) 2023.

4. We have heard learned counsel appearing for the parties.

5. Though nearly a year and a half have passed since the FIR came to be registered, the investigation is still in progress; and, it is not in dispute, that the appellant has joined investigation in terms of a previous order of this Court.

6. Taking an overall view of the matter, particularly in the light of the nature of allegations levelled against the appellant, we are of the considered opinion that the appellant's detention for custodial interrogation is not necessary and that he may be admitted to an order for grant of bail in anticipation of arrest.

7. We, accordingly, set aside the judgment and order, impugned in this appeal.

8. It is directed that in the event of the appellant being arrested, he shall be released on bail on terms and conditions to be imposed by the trial court.

9. Since the investigation is yet to conclude, we direct that if the investigating officer calls upon the appellant to continue to join the investigation, he shall do so by attending the police station failing which liberty is granted to bring any such omission to the notice of the trial court and seek cancellation of bail.

10. Needless to observe, the appellant shall not, directly or indirectly, by making inducement, threat or promise, dissuade any person acquainted with the facts of the case from disclosing such facts to any police officer or to the court.

11. We clarify that the observations made in this

order and grant of bail to the appellant in anticipation of arrest will not be treated as findings on the merits of the case.

12. The appeal is, accordingly, allowed on the aforesaid terms.

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

.....J.  
**(DIPANKAR DATTA)**

.....J.  
**(SATISH CHANDRA SHARMA)**

**New Delhi;  
April 24, 2026.**

ITEM NO.7

COURT NO.8

SECTION II-E

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.)  
No.5015/2026

[Arising out of impugned final judgment and order dated 12-02-2026 in MCRC No.6371/2026 passed by the High Court of Madhya Pradesh Principal Seat at Jabalpur]

HITESH GUPTA

Petitioner

VERSUS

THE STATE OF MADHYA PRADESH

Respondent

I.A. No.86125/2026-EXEMPTION FROM FILING C/C OF  
THE IMPUGNED JUDGMENT

I.A. No.86129/2026-EXEMPTION FROM FILING O.T.

Date : 24-04-2026 This matter was called on for  
hearing today.

CORAM :HON'BLE MR. JUSTICE DIPANKAR DATTA  
HON'BLE MR. JUSTICE SATISH CHANDRA SHARMA

For Petitioner(s) :Mr. S. K. Gangele, Sr. Adv.  
Ms. Ritu Gangele, Adv.  
Ms. Priya Sharma, Adv.  
Mr. Shrey Ravi Dambhare, AOR  
Mr. Mohd Fahad, Adv.

For Respondent(s) :Mr. Abhimanyu Singh Ga, Adv.  
Mr. Harmeet Singh Ruprah, AOR  
Mr. Ajay Sharma, Adv.

**Mr. Kanishk Sharma, Adv.  
Mr. Karan Singh, Adv.**

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

1. Leave granted.
2. The appeal is allowed in terms of the signed order.
3. Pending application(s), if any, shall stand disposed  
of.

**(RASHMI DHYANI PANT) (SUDHIR KUMAR SHARMA)  
ASTT. REGISTRAR-cum-PS COURT MASTER (NSH)  
(signed order is placed on the file)**