



ITEM NO.7

COURT NO.17

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). 9350/2026

[Arising out of impugned judgment and order dated 06-03-2026 in IA No. 1400/2026 in CRA No.12326/2022 passed by the High Court of Madhya Pradesh at Indore]

JITENDRA

Petitioner(s)

VERSUS

THE STATE OF MADHYA PRADESH

Respondent(s)

(IA No. 153910/2026 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 153912/2026 - EXEMPTION FROM FILING O.T.)

Date : 21-05-2026 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE K.V. VISWANATHAN
HON'BLE MR. JUSTICE VIJAY BISHNOI

For Petitioner(s) :

Mr. Chandan Kumar, Adv.
Mr. Rajnish Kumar Jha, AOR
Mr. Ravi Raj, Adv.
Mr. Sakal Dev Sharma, Adv.
Mr. Prasana Namdeo, Adv.
Mr. Pawan Kumar, Adv.
Mr. Pulkit, Adv.
Mr. Jitender Kumar, Adv.

For Respondent(s) :

Mr. Astik Gupta, Adv.
Mr. Pashupati Nath Razdan, AOR

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

1. Heard Mr. Chandan Kumar, learned counsel appearing for the petitioner and Mr. Astik Gupta, learned counsel appearing for the respondent-State.

2. The present Special Leave Petition calls in question the correctness of the order dated 6th March, 2026 passed by the High Court of Madhya Pradesh at Indore in IA No.1400/2026 in CRA No.12326/2022. By the said order, the High Court has declined the benefit of suspension of sentence and grant of bail to the petitioner, pending appeal.

3. The appellant has been convicted for the offences under Sections 376(2)(n) and 376(2)(i) of the Indian Penal Code, 1860 and Section 6 read with Section 5(1) of the Protection of Children from Sexual Offences Act, 2012 and sentenced to undergo imprisonment of 10 years. Undisputedly, the petitioner has undergone 4 years and 11 months.

4. The appeal is of the year 2022 and is likely to take some time.

5. Keeping in mind the principles laid down by this Court with regard to suspension of sentence in matters involving fixed term sentences and the fact that the petitioner has already undergone 4 years and 11 months in custody, we are inclined to enlarge the petitioner on bail after suspending his sentence, pending disposal of the criminal appeal by the High Court.

6. Keeping in view overall facts and circumstances, we direct that the sentence imposed on the petitioner shall stand suspended and he shall be enlarged on bail subject to the satisfaction of the Trial Court, pending disposal of Criminal Appeal No.12326 of 2022 by the High Court.

7. In view of the above, the Special Leave Petition is disposed of.

8. Pending applications shall also stand disposed of.

(ANITA MALHOTRA)
AR-CUM-PS

(MANOJ KUMAR)
COURT MASTER