



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).
8633/2026

[Arising out of impugned judgment and order dated 20-04-2026 in MCRC No. 14652/2026 passed by the High Court of Madhya Pradesh at Gwalior]

KUBER SINGH

Petitioner(s)

VERSUS

THE STATE OF MADHYA PRADESH & ANR.

Respondent(s)

FOR ADMISSION, IA No. 143107/2026 - EXEMPTION FROM FILING
O.T.

Date : 20-05-2026 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. Arun Kumar Raaghav, Adv.
Mr. Digvijay Singh Raghav, Adv.
Mr. Ranjeet Singh Rawat, Adv.
Mr. Sandeep, Adv.
Mrs. Aditi Sharma, Adv.
Ms. Richa Attrey, Adv.
Ms. Kamlesh, Adv.
Mr. Himanshu Sharma, AOR

For Respondent(s) Mr. Yashraj Singh Bundela, AOR
Mr. Arpit Garg, Adv.

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

1. Heard Mr. Digvijay Singh Raghav, learned counsel for
the petitioner and Mr. Yashraj Singh Bundela, learned

counsel for the State.

2. The Petitioner calls in question the correctness of the order dated 20.04.2026 in Misc.Criminal Case No.14652/2026 passed by the High Court of Madhya Pradesh at Gwalior. By the said order, the High Court has rejected the bail application of the petitioner.

3. The brief facts of the case are that FIR No.148/2024 dated 10.10.2024 registered with Police Station Haidergarh, District Vidisha, Madhya Pradesh for the offences punishable under Sections 64(2)(m), 295 & 351(3) of the Bharatiya Nyaya Sanhita, 2023 (for short, 'BNS') and under Section 30 of the Arms Act, 1959. On 20.02.2025 in the said FIR the petitioner was granted the concession of regular bail by the High Court in Misc.Criminal Case No.7609/2025 subject to the petitioner not committing any other offence(s) of similar nature, failing which the bail would stand cancelled.

4. It appears that on 16.09.2025, another FIR No.34/2025 for the offences punishable under Sections, 64, 64(2)(m), 332(b), 351(2) of BNS and 3(1)(w)(i), 3(2)(v) & 3(2)(va) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short, 'SC/ST Act') was registered with Police Station - Mahila Thana Vidisha, District Vidisha, Madhya Pradesh. Based on this FIR, the complainant approached the High Court by way of an application to cancel the bail of the

petitioner in FIR No.148/2024 dated 10.10.2024. On 06.01.2026 the High Court cancelled the bail as originally granted to the petitioner on 20.02.2025.

5. The petitioner has surrendered on 19.01.2026. On 25.03.2026 it is undisputed that the petitioner was granted the concession of regular bail in FIR No.34/2025. Thereafter, the petitioner moved the High Court for grant of bail in FIR No.148/2024 by contending that in the second FIR, he is on bail. The High Court has, however, dismissed the petition. Hence, the petitioner is before this Court.

6. We have heard learned counsel for the parties and perused the records. We have also perused the order granting bail on 20.02.2025 in FIR No.148/2024 and the bail order dated 25.03.2026 in FIR No.34/2025.

7. As is clear from the bail order in FIR No.34/2025, which is the FIR registered pursuant to grant of bail on 20.02.2025, the offences alleged is of 14.02.2024. The FIR has been lodged after 1 year and 7 months. The petitioner is enlarged on bail in the said FIR.

8. Learned counsel for the petitioner contends that technically there is no violation of the bail condition(s) imposed in the order of 20.02.2025 as there was no commission of offense post the grant of bail, even according to the prosecution.

9. Independently and primarily the contention of the learned counsel for the petitioner is even this

allegation is false and there is delay of 1 year and 7 months in lodging the FIR which is unexplained.

10. We also heard learned counsel for the State.

11. Learned counsel for the State submits that the petitioner has a lot of criminal antecedents and refers to a chart set out in the counter affidavit, handed over in Court today. We have perused the chart. In the 9 cases set out, two pertain to FIR No. 148/2024 and FIR No. 34/2025 with which we are concerned immediately. As far as other cases are concerned none of them are pending. They have all concluded with the petitioner being acquitted. Post the surrender, the petitioner has undergone about 4 months in custody and overall in FIR 148/2024 he has undergone about 8 months in custody. The said counter affidavit is taken on record.

12. Taking into account all these facts and circumstances of the case, we are inclined to enlarge the petitioner on bail in connection with the aforestated FIR No.148/2024 dated 10.10.2024 for the offences mentioned herein-above subject to the satisfaction of the concerned Trial Court at Vidisha, Madhya Pradesh.

13. Accordingly, the prayer of the petitioner is allowed and the impugned order dated 20.04.2026 is set aside.

14. The Special Leave Petition is disposed of in the above terms.

15. Pending application(s), if any, shall also stand disposed of.

(NIRMALA NEGI)

ASTT. REGISTRAR-cum-PS

*counter affidavit is attached with RoP

(POONAM VAID)

ASSISTANT REGISTRAR