



ITEM NO.8

COURT NO.5

SECTION II-A

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 (CrI.) No(s).3451/2023

(Arising out of impugned final judgment and order dated 02-01-2023 in MCRC No.44352/2022 passed by the High Court of M.P. at Indore)

KHALID

Petitioner(s)

VERSUS

STATE OF M.P.

Respondent(s)

IA No.92800/2023 - EXEMPTION FROM FILING O.T.

IA No.53901/2023 - EXEMPTION FROM FILING O.T.

Date : 27-07-2023 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE SURYA KANT

HON'BLE MR. JUSTICE DIPANKAR DATTA

For Petitioner(s) Mr. Aljo K. Joseph, AOR
Mr. Abhinav P Dhanodkar, Adv.
Mr. Ranjan Kumar, Adv.
Ms. Shelna K, Adv.

For Respondent(s) Mr. Pashupathi Nath Razdan, AOR
Mr. Baijnath Patel, Adv.
Mr. Mirza Kayesh Begg, Adv.
Ms. Maitreyee Jagat Joshi, Adv.
Mr. Astik Gupta, Adv.
Mr. Arpit Sharma, Adv.

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

1. The petitioner seeks enlargement on regular bail in connection with Crime No.224 of 2022, registered at Police Station Khargone, District Khargone, Madhya Pradesh, for offence punishable under Sections 147, 148, 149, 336, 427, 436 of the Indian Penal Code, 1860.

2. The allegations are that a mob armed with lathis, stones and petrol bombs came towards Khaskhaswadi Talai Marg on 10.04.2022 at around 8.30 p.m. raising slogans and then started pelting stones on the house of the complainant resulting in damage of the house

and electricity meter. The door of the house of the complainant was allegedly set on fire by the mob. The petitioner was allegedly a member of the mob. The mob also stoned the house of the neighbours of the petitioner. The slogans and acts of the mob led to communal violence.

3. The petitioner was arrested on 12.04.2022. The investigation is complete and the chargesheet has been filed. We are informed that the charges are yet to be framed.

4. We have heard learned counsel appearing on behalf of the petitioner as well as learned counsel appearing on behalf of the respondent - State and carefully perused the material placed on record.

5. It is true that the allegations against the petitioner of inciting communal violence are grave in nature but having regard to the period already spent by him in custody, the age of the petitioner and the fact that the conclusion of trial will take some reasonable time, without expressing any views on the merits of the case, we are inclined to release him on bail.

6. The petitioner is, accordingly, directed to be released on bail on his furnishing bail bonds to the satisfaction of the Trial Court.

7. The petitioner shall appear before the Trial Court on every date of hearing and in case he absents himself, the same shall be taken as a misuse of concession of bail granted to him today by this Court.

8. The Special Leave Petition stands disposed of accordingly.

9. As a result, pending interlocutory applications also stand disposed of.

(SATISH KUMAR YADAV)
DEPUTY REGISTRAR

(PREETHI T.C.)
COURT MASTER (NSH)