

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL No.            OF 2024  
(Arising out of SLP(Criminal) No. 3892/2024)

INDRAJEET BHOJ @ TINGA BHOJ

Appellant(s)

VERSUS

THE STATE OF MADHYA PRADESH & ANR.

Respondent(s)

O R D E R

1. Leave granted.
2. This appeal arises out of the impugned judgment and order dated 06.02.2024, passed by the High Court of Madhya Pradesh at Jabalpur in M.Cr.C. No. 13622 of 2023 whereby, the High Court had allowed the application filed by the respondent no.1-State of Madhya Pradesh under Section 439(2) of Cr.P.C., and cancelled the anticipatory bail granted to the appellant in connection with the F.I.R. No. 510/2022 registered at Police Station- Balaghat Kotwali, District-Balaghat, Madhya Pradesh for the offence punishable under Sections-384,386,389,323 and 506/34 of the Indian Penal Code.
3. Heard learned senior counsels for the parties and perused the material on record.
4. Having regard to the submissions and the documents on record, as also the affidavits filed by the respondent no.2-complainant, it transpires that the

anticipatory bail granted to the appellant was cancelled by the High Court as the respondent no.2-complainant had alleged that he was forced to sign an affidavit regarding compromise under threat from the appellant. Allegations were also made by the respondent no.2-complainant that the Investigating Officer was an interested party and due to some altercation, having taken place with the appellant, false cases were registered against him.

5. Initially, the respondent no.2-complainant was not made party-respondent in the present appeal, however, subsequently, at the instance of the Court's Order dated 15.05.2024, he was impleaded as party-respondent no.2 in the present appeal.

6. The respondent no.2-complainant, thereafter, having filed an affidavit changing his earlier version, the Court on 01.10.2024 had recorded that the respondent no.2-complainant had tried to change his version from time to time to suit his own purposes, and that he also appeared to have been mis-lead or mis-advised by his counselors. The learned senior counsel, Mr. Saurabh Mishra, appearing for the respondent no.2-complainant, therefore, then submitted that the respondent no.2-complainant shall file fresh affidavit tendering an unconditional apology for changing his version from time to time. Accordingly, the respondent

no.2-complainant has filed a fresh affidavit tendering his unconditional apology before this Court on 09.10.2024, for making differing statements in his earlier affidavits under the mis-guided belief.

7. Mr. Saurabh Mishra, learned senior counsel appearing for respondent no.2-complainant has urged to tender pardon to the respondent no.2-complainant in view of the said unconditional apology tendered by him.

8. The learned senior counsel, Mr. Siddhartha Dave, appearing for the appellant, has submitted that though, the appellant was involved in five cases, he has been acquitted in three cases, and in the subject complaint, the appellant was falsely implicated, as transpiring from the affidavits filed by the respondent no.2-complainant. He further submitted that now, the trial has also commenced and the appellant is diligently co-operating with the trial and therefore, the interim order dated 15.05.2024, be continued/ made absolute till the pendency of the trial.

9. Since, the respondent no.2-complainant had set into motion the criminal machinery by filing the affidavits one after the other changing his version from time to time to suit his own purposes, we are of the opinion that no person should be permitted to misuse the process of law or to take the Courts for a

ride.

10. Hence, though, the respondent no.2-complainant has tendered unconditional and unqualified apology, we accept the same subject to his paying cost of Rs.25,000/-, which shall be deposited by him before the Supreme Court Legal Services Authority within one week from today.

11. Having regard to the facts and circumstances of the case, but without expressing any opinion on the merits of the case, we are inclined to accept the present appeal and confirm the order dated 15.05.2024, directing not to arrest the appellant in connection with the F.I.R. No. 510/2022 registered at Police Station- Balaghat Kotwali, District-Balaghat, Madhya Pradesh for the offence punishable under Sections- 384,386,389,323 and 506/34 of the Indian Penal Code, on such terms and conditions that may be imposed by the Trial Court, and also on the condition that the appellant shall continue to co-operate with the trial diligently.

12. It goes without saying that the respondent-State shall be at liberty to file appropriate application seeking cancellation of bail in case any of the conditions, that may be imposed by the Trial Court, are violated or breached by the appellant.

13. Accordingly, the appeal is allowed in afore-stated terms

14. Pending application(s), if any, shall stand closed.

.....J.  
(BELA M. TRIVEDI)

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

New Delhi  
22<sup>nd</sup> October, 2024

ITEM NO.3

COURT NO.13

SECTION II-A

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). 3892/2024

(Arising out of impugned final judgment and order dated 06-02-2024 in MCRC No. 13622/2023 passed by the High Court Of M.p Principal Seat At Jabalpur)

INDRAJEET BHOJ @ TINGA BHOJ

Petitioner(s)

VERSUS

THE STATE OF MADHYA PRADESH &amp; ANR.

Respondent(s)

IA No. 68356/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT  
 IA No. 119070/2024 - EXEMPTION FROM FILING O.T.  
 IA No. 109330/2024 - EXEMPTION FROM FILING O.T.  
 IA No. 68354/2024 - EXEMPTION FROM FILING O.T.  
 IA No. 154106/2024 - EXEMPTION FROM FILING O.T.  
 IA No. 154104/2024 - PERMISSION TO FILE ADDITIONAL  
 DOCUMENTS/FACTS/ANNEXURES, IA No. 119069/2024 - PERMISSION TO FILE  
 ADDITIONAL DOCUMENTS/FACTS/ANNEXURES AND IA No. 109329/2024 -  
 PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 22-10-2024 These matters were called on for hearing today.

CORAM :

HON'BLE MS. JUSTICE BELA M. TRIVEDI  
 HON'BLE MR. JUSTICE SATISH CHANDRA SHARMA

For Petitioner(s) Mr. Siddhartha Dave, Sr. Adv.  
 M/S. Dharmaprabhas Law Associates, AOR

For Respondent(s) Mr. Bhupendra Pratap Singh, D.A.G.  
 Mr. Sunny Choudhary, AOR

Mr. Saurabh Mishra, Sr. Adv.  
 Mr. Rohit K. Singh, AOR

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 closed.

(NISHA KHULBEY)  
 SENIOR PERSONAL ASSISTANT  
 (signed order is placed on the file)

(MAMTA RAWAT)  
 COURT MASTER (NSH)

