



ITEM NO.2

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
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Crl.) No(s). 869/2024

(Arising out of impugned final judgment and order dated 11-12-2023 in MCRC No. 51929/2023 passed by the High Court Of M.p At Indore)

SATNAM SINGH RANDHAWA

Petitioner(s)

VERSUS

STATE OF MADHYA PRADESH

Respondent(s)

IA No. 15409/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 22044/2024 - EXEMPTION FROM FILING O.T.

IA No. 15410/2024 - EXEMPTION FROM FILING O.T.

IA No. 22041/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

WITH

SLP(Crl) No. 3733/2024 (II-A)

(IA

FOR EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT ON IA 65866/2024

FOR EXEMPTION FROM FILING O.T. ON IA 65871/2024

FOR PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES ON IA 70664/2024

FOR EXEMPTION FROM FILING O.T. ON IA 70665/2024

IA No. 65866/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT

IA No. 70665/2024 - EXEMPTION FROM FILING O.T.

IA No. 65871/2024 - EXEMPTION FROM FILING O.T.

IA No. 70664/2024 - PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 06-05-2024 These matters were called on for hearing today.

CORAM : HON'BLE MR. JUSTICE C.T. RAVIKUMAR
HON'BLE MR. JUSTICE RAJESH BINDAL

For Petitioner(s) Mr. Neeraj Kishan Kaul, Sr.Adv.

Mr. S Nagamuthu, Sr. Adv. (N/P)

Mr. Shah Rukh Ahmad, Adv.

Mr. Mandeep Baisala, Adv.

Ms. Somi Sharma, Adv.

Ms. Poorvi Shukla, Adv.

Ms. Ira, Adv.
Mr. Sameer Kumar, AOR

For Respondent(s) Mr. Nachiketa Joshi, A.A.G.
Mr. Pashupathi Nath Razdan, AOR
Mr. Abhimanyu Singh, Adv.
Mr. Gautam Singh, Adv.
Mr. Mirza Kayesh Begg, Adv.
Ms. Maitreyee Jagat Joshi, Adv.
Ms. Maitreyee Jagat Joshi,, Adv.
Mr. Astik Gupta, Adv.
Ms. Akanksha Tomar, Adv.
Ms. Akanksha Tomar,, Adv.
Mr. Argha Roy, Adv., Adv.
Mr. Argha Roy, Adv.
Ms. Ojaswini Gupta,, Adv.
Ms. Ojaswini Gupta, Adv.
Ms. Ruby, Adv.
Mr. Deepak Raj, Adv.

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

The self-same petitioner, is an accused in Crime No.292 of 2020, registered at Police Station Maxi, District Shajapur, Madhya Pradesh, for the offences punishable under Sections 420,506 of the Indian Penal Code,1860 (for short 'IPC') and Sections 3(1) and 6(1) of *Madhya Pradesh Nikshepakon Ke Hiton Ka Sanrakshan Adhiniyam, 2000* and also in Crime Case No.48/2016 registered at Police Station Bhopal, transferred to Police Station Economic Offences Wing(EOW), Ujjain, Madhya Pradesh, for the offences punishable under Sections 406,409,420 and 120-B of the IPC and under Section 6 of the *Madhya Pradesh Nikshepakon Ke Hiton Ka Sanrakshan Adhiniyam, 2000*.

The petitioner herein filed the captioned special leave petitions seeking challenge to the orders dated 11.12.2023 and 24.01.2024 passed by the High Court of Madhya Pradesh at Indore in Criminal Case No.51929 of 2023 and Misc. Criminal Case

No.46812/2023, respectively, rejecting his application for bail in connection with the aforementioned FIRs.

The allegations levelled against the petitioner in the FIR is, in general, that the petitioner and co-accused persons, who were Directors of the G.N. Gold and M/s. GND India Ltd. Companies, without legal authorisation, accepted deposits on the assurance that money of the depositors would be doubled within a period of six years. However, the money got deposited on such assurance was not repaid on maturity. The application for bail moved by the petitioner was rejected as per the impugned orders. It is, in the said circumstances that the captioned special leave petitions have been filed to assail the orders dated 11.12.2023 and 24.01.2024 in Miscellaneous Criminal Case No. 51929 of 2023 and Misc. Criminal Case No. 46812/2023, passed by the High Court of Madhya Pradesh at Indore.

Heard learned Senior Counsel appearing for the petitioner as also the learned Additional Advocate General appearing for the State of Madhya Pradesh.

It is submitted by the learned Senior Counsel appearing for the petitioner that in connection with the cases registered against the petitioner carrying similar allegations, he was already enlarged on bail. The additional documents produced in the captioned special leave petitions would reveal that the said submissions are true to facts. In the said circumstances, it is further submitted that the petitioner is entitled to be released on bail, subject to the terms and conditions to be imposed by the Trial Court, as has been done in the other connected cases.

Per contra, the learned Additional Advocate General appearing for the State submitted that taking note of the number of cases registered against the petitioner and the nature of offences alleged against him, the petitioner is not entitled to bail at this stage. It is further submitted that in some of the cases carrying similar accusation(s), after trial, he was convicted.

At this juncture, the learned Senior Counsel appearing for the petitioner would submit that in such cases, the sentence(s) imposed were suspended.

We have considered the rival contentions. The fact is that altogether about 59 FIRs were registered against the petitioner based on the similar accusation(s).

Taking note of the indisputable fact that in most of the cases, the petitioner has already been enlarged on bail and even in cases, where he was convicted after the trial, sentence(s) imposed on him, was suspended and further that in some other cases, he was acquitted.

Taking into account of all the aforesaid circumstances, we are of the considered view that the petitioner can be ordered to be released on bail, subject to the terms and conditions to be imposed by the Trial Court.

Accordingly, there will be an order that the petitioner be released on bail in connection with the subject FIRs, subject to the terms and conditions to be imposed by the Trial Court. Needless to say that his ultimate release from prison will be possible only if his custody is not required legally, in any other cases.

The special leave petitions stand disposed of with the above terms.

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

(VARSHA MENDIRATTA)
COURT MASTER (SH)

(MATHEW ABRAHAM)
COURT MASTER (NSH)