



ITEM NO.3

COURT NO.12

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). 459/2023

(Arising out of impugned final judgment and order dated 23-11-2022 in MCRC No. 50845/2022 passed by the High Court Of M.p Principal Seat At Jabalpur)

MUSTAKEEN @ KALLAN

Petitioner(s)

VERSUS

THE STATE OF MADHYA PRADESH

Respondent(s)

IA No. 6061/2023 - EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT

IA No. 6069/2023 - EXEMPTION FROM FILING O.T.)

Date : 20-02-2023 These matters were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE A.S. BOPANNA

HON'BLE MS. JUSTICE HIMA KOHLI

For Petitioner(s) Mr. Uday Gupta, Adv.
Ms. Shivani M. Lal, Adv.
Mr. Hiren Dasan, Adv.
Mr. Vishal V. R. Daniel, Adv.
Ms. Sanam Singh, Adv.
Mr. S. Sisodia, Adv.
Mr. M. K. Tripathi, Adv.
Mr. Harish Dasan, Adv.
Mr. Rajiv Ranjan, Adv.
Mr. Rajeev Kumar Gupta, Adv.
Ms. Sundari, Adv.
Mr. Parminder Singh Bhullar, AOR

For Respondent(s) Mr. Veer Vikrant Singh, D.A.G.
Mr. Sunny Choudhary, AOR
Mr. Manoj Kumar, Adv.

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

Heard the learned counsel for the parties and perused the
petition papers.

The learned counsel for the respondent-State of Madhya Pradesh with reference to their objection statement, would contend that the trial is in progress, and therefore, there is no cause to release the petitioner on bail. However, having taken into consideration the said aspect of the matter, we also note that the petitioner has been in custody for about a year, and the other co-accused have already been released on bail in the connected offences.

In any event, the petitioner is required to diligently co-operate in the trial and if the petitioner fails to do so, it will be open for the respondent-State to bring the reluctance on the part of the petitioner to the notice of the concerned Court for appropriate action in the matter.

In that view, subject to the petitioner diligently participating in the trial, we direct the petitioner to be released on bail subject to the conditions to be imposed by the Trial Court.

The petition is accordingly, disposed of.

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

(NISHA KHULBEY)
SENIOR PERSONAL ASSISTANT

(DIPTI KHURANA)
ASSISTANT REGISTRAR