

(2025) 12 MP CK 1987

In the Madhya Pradesh High Court, Jabalpur Bench

Case No : Miscellaneous Criminal Case No. 55596 Of 2025

Sargam Bhalla

APPELLANT

Vs

State Of Madhya Pradesh

RESPONDENT

Date of Decision : 01-12-2025

Acts Referred:

Bharatiya Nagarik Suraksha Sanhita, 2023 — Section 482
Indian Penal Code, 1860 — Section 406, 420

Citation : (2025) 12 MP CK 1987

Hon'ble Judges : Sandeep N. Bhatt, J

Bench : Single Bench

Advocate : Sourabh Bhushan Shrivastava, Ankit Dubey, Atul Dwivedi

Final Decision : Allowed

Judgement

Sandeep N. Bhatt, J

1. This first application has been filed by the applicant under Section 482 of BNSS, 2023 for grant of anticipatory bail in relation to FIR No.714/2025 registered at Police Station Gorakhpur, District Jabalpur (MP) for commission of offence under Sections 420 and 406 of IPC.

2. As per the prosecution story, complainant made a written complaint stating that the present applicant alongwith co-accused persons visited his office and asked her to invest money for share trading and promised to return back the invested money with 35% profit. Complainant invested 2,50,000/-but after some time they stopped receiving the phone and blocked her number thereby committed cheating by not giving back the amount after one year. F.I.R. was registered.

3. Learned counsel for the applicant has submitted that applicant has returned back the amount and compromise has taken place between the parties. Copy of compromise application has been filed. Now complainant has no objection if applicant is released on bail. On the aforesaid pretext, grant of anticipatory bail

is prayed.

4. On the other hand, learned counsel for the State has opposed grant of anticipatory bail. However, counsel for the complainant submits that he has no objection if applicant is released on bail as she has received back the said amount.

5. The transaction between the parties is commercial transaction. Considering the nature of dispute and considering the affidavit filed by the complainant that she has received back the invested amount and also considering the fact that initially offence under section 420 of IPC was registered but thereafter offence under section 406 of IPC is invoked, the matter requires consideration, therefore, having taken into consideration all the facts and circumstances of the case but without expressing any opinion on the merit of the case, I am of the view that it is a fit case to grant pre-arrest bail to the applicant. Consequently, this first anticipatory bail application under Section 482 of BNSS, 2023 for grant of anticipatory bail filed on behalf of applicant, stands allowed.

6. It is directed that in the event of arrest applicant be released on bail on his furnishing personal bond in the sum of Rs.50,000/- (Rupees Fifty Thousand Only) with one surety in the like amount to the satisfaction of the Arresting Authority. At the stage of filing of charge-sheet by police, applicant shall furnish fresh bail bond of same amount before trial Court to its satisfaction subject to following conditions:-

(i) Applicant shall make himself available for interrogation by a police officer as and when required;

(ii) Applicant is directed to join investigation, then and there.

(iii) Applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer;

(iv) Applicant shall surrender himself before the Investigation Officer within seven days from today failing which this order shall become ineffective.

7. However, it is being made clear that in case of bail jump and in violation of any of conditions imposed herein above, this order shall become ineffective and Investigation Officer/Trial Court shall be at liberty to proceed against the applicant as per law.

Certified copy as per rules.