

# Yunus Khan vs The State Of Madhya Pradesh on 21 January, 2020

**Bench: D.Y. Chandrachud, Ajay Rastogi**

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IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

Criminal Appeal No 137 of 2020  
(Arising out of SLP(Crl) No 113 of 2020)

Yunus Khan

Versus

.... Ap

State of Madhya Pradesh

....Res

ORDER

1 Leave granted.

2 This appeal has arisen from a judgment and order of the Hi

of Madhya Pradesh dated 27 September 2019 rejecting an application for bail filed by the appellant.

3 The appellant has been arrested in connection with Crime No 202 of 2018 registered at Police Station Khajrana, Indore for offences punishable under Sections 406, 420, 467 and 468 of the Indian Penal Code 1860. The allegation, briefly stated, is that the appellant and the co-accused agreed to sell certain land admeasuring 4000 sq mts to the complainant and that despite the receipt of consideration and handing over of possession, plots have been carved out and sold to third parties. 4 Mr Varun Chopra, learned counsel appearing on behalf of the State of Madhya Pradesh, states that the charge-sheet was filed on 17 May 2019 and charges have been framed on 3 August 2019. Mr Chopra states that on 24 September 2019, three witnesses have been examined at the trial and the proceedings are now posted to 22 January 2020 for recording the evidence of further witnesses.

5 The appellant has been in custody since 13 May 2019. Having regard to the circumstances narrated above, we are of the view that the continued custody of the appellant is not required. We accordingly direct that the appellant be released on bail subject to such terms and conditions as may be imposed by the Trial Court. However, we record the assurance and undertaking of the appellant that he shall cooperate with the Trial Court in the expeditious disposal of the trial. The observations contained in the present order shall not affect the merits of the trial. 6 The appeal is disposed of in the above

terms.

.....J. [Dr Dhananjaya Y Chandrachud]  
.....J. [Ajay Rastogi] New Delhi;

January 21, 2020

ITEM NO.6

COURT NO.8

SECTION II-A

S U P R E M E C O U R T O F  
RECORD OF PROCEEDINGS

I N D I A

Petition(s) for Special Leave to Appeal (CrI.)

No(s). 113/2020

(Arising out of impugned final judgment and order dated 27-09-2019 in MCRC No. 34177/2019 passed by the High Court Of M.p At Indore) YUNUS KHAN Petitioner(s) VERSUS THE STATE OF MADHYA PRADESH Respondent(s) (WITH IA No. 3423/2020 - EXEMPTION FROM FILING O.T.) Date : 21-01-2020 These matters were called on for hearing today. CORAM :

HON'BLE DR. JUSTICE D.Y. CHANDRACHUD HON'BLE MR. JUSTICE AJAY  
RASTOGI For Petitioner(s) Mr Pratap Venugopal, Adv.

Ms Surekha Raman, Adv.

Ms. Ayushi, Adv.

Mr. Akhil Abraham Roy, Adv.

Mr Vijay Valsan, Adv.

for M/S. K J John And Co For Respondent(s) Mr Varun K. Chopra, Adv Mr Harsh  
Parashar, Adv.

UPON hearing the counsel the Court made the following O R D E R Leave granted.

The appellant has been in custody since 13 May 2019. Having regard to the circumstances narrated above, we are of the view that the continued custody of the appellant is not required. We accordingly direct that the appellant be released on bail subject to such terms and conditions as may be imposed by the Trial Court. However, we record the assurance and undertaking of the appellant that he shall cooperate with the Trial Court in the expeditious disposal of the trial. The observations contained in the present order shall not affect the merits of the trial.

The appeal is disposed of in terms of the signed order.

Pending application, if any, stands disposed of.

(SANJAY KUMAR-I)

AR-CUM-PS

(Signed order is placed on the file)

(SAROJ KUMARI GAUR)

COURT MASTER