

Kundan Dhok vs The State Of Madhya Pradesh on 12 March, 2025

Author: Dinesh Kumar Paliwal

Bench: Dinesh Kumar Paliwal

NEUTRAL CITATION NO. 2025:MPHC-JBP:12533

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IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR
BEFORE
HON'BLE SHRI JUSTICE DINESH KUMAR PALIWAL
ON THE 12th OF MARCH, 2025
MISC. CRIMINAL CASE No. 7172 of 2025
KUNDAN DHOK AND OTHERS
Versus
THE STATE OF MADHYA PRADESH
Appearance:
Shri R.P. Mishra - Advocate for applicant.
Shri Pradeep Gupta - Govt. Advocate for respondent/State.

ORDER

This is the first application filed by the applicants under Section 483 of the Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail relating to FIR No.509/2024, registered at Police Station-Sausar, District Chhindwara (M.P.) for the offences under Sections 420, 406, 465, 471, 120(B), 294, 506 of Indian Penal Code, under Section 6(1) of Madhya Pradesh Nikshepakon Ke Hiton Ka Sanrakshan Adhiniyam, 2000, under Section 21(1)(2)(3), 22, 23 of Aviniyomit Nikshep Pavandi Adhiniyam, 2019 and under Section 4 and 5 of Inami Chit or Dhan Parichalan Scheme (Pavandi) Adhiniyam, 1978.

2. Learned counsel appearing for applicant submitted that applicants was an agent and received commission on basis of investment made in the company. All the money was invested in the company and applicants used to get commission on investment amount. It is submitted that other than commission amount, no money was transacted in the account of applicants. Applicants did not receive any kickbacks. He was merely working for his NEUTRAL CITATION NO. 2025:MPHC-JBP:12533 2 MCRC-7172-2025 livelihood. There is no other criminal records of applicants. Similarly situated co-accused had already been granted bail by this Court vide order dated 04-02-2025 in M.Cr.C No. 3052/25. On the aforesaid pretext, it is prayed that applicants may be released on bail.

3. Learned Government Advocate appearing for the State opposed the application for grant of bail. It is submitted that huge amount of money has been embezzled. Applicants used to attend the meeting and they were conspiring with Directors of the company. It is submitted that Directors of the company are not traceable. One of the Directors is in jail in Shimla.

5. On going through facts of the case, it is found that applicants were only acting as agents and was getting commission on investment made by investors. Embezzled money did not find rout to the account of applicants. Therefore, considering the aforesaid circumstances of the case, but without expressing any opinion on the merits of the case, I deem it a fit case for grant of bail to the applicants. Consequently, this bail application under 483 of BNSS, 2023 for grant of bail filed on behalf of applicants, stands allowed.

6. It is directed that applicants - Kundan Dhok and Madhusudan Singh be released on bail on their furnishing a personal bond in the sum of Rs.50,000/- (Rupees Fifty thousand only) each with one solvent surety each in the like amount to the satisfaction of the trial Court, for their regular appearance before the trial Court during trial with a condition that they shall remain present before the concerned Court on all the dates fixed by it during trial. They shall abide by all the conditions enumerated under Section 480(3) of BNSS, 2023.

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7. This order shall be effective till the end of the trial. However, in case of bail jump and breach of any of the conditions of bail, it shall become ineffective.

Certified copy as per rules.

(DINESH KUMAR PALIWAL) JUDGE PG