

Naveen Tiwari vs The State Of Madhya Pradesh on 22 March, 2025

Author: Maninder S. Bhatti

Bench: Maninder S. Bhatti

NEUTRAL CITATION NO. 2025:MPHC-JBP:14225

1
IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR
BEFORE
HON'BLE SHRI JUSTICE MANINDER S. BHATTI
ON THE 22nd OF MARCH, 2025
MISC. CRIMINAL CASE No. 10024 of 2025
NAVEEN TIWARI
Versus
THE STATE OF MADHYA PRADESH
Appearance:
Shri Rohit Sohgaura - Advocate for the applicant.
Shri Santosh Yadav - Government Advocate for the State.

ORDER

This is third application filed by the applicant under Section 439 of Cr.P.C./Section 483 of the Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail relating to FIR/Crime No.393/2017 dated 19.09.2017 registered at Police Station Omti, District Jabalpur for the offences punishable under Sections 420, 467, 468, 471 & 34 of IPC r/w Section 6 of the Nikshepkon Ke Hiton ka Sanrakshan Adhiniyam. Earlier bail applications of the applicant was dismissed on merit vide order dated 13/06/2023 in M.Cr.C. No.12643/2023 and on 18/07/2024 in M.Cr.C No.28950/2023.

2. The counsel for the applicant contends that the applicant is innocent and has been falsely implicated in the case. It is contended by the counsel that as per the allegations, complainants were duped at the behest of the applicant and co-accused persons while persuaded them to invest Rs.8,00,000/- (Rupees Eight Lac) in Max Market Maker Gold Scheme and NEUTRAL CITATION NO. 2025:MPHC-JBP:14225 2 MCRC-10024-2025 was assured them that the interest @1.5% would be given to them, however, neither the original amount nor the interest amount was given to the complainants. The applicant had previously filed two applications which have been dismissed. Subsequently, co-accused Avani Dixit filed an application for grant of bail before this Court and the said application was allowed vide order dated 29/11/2024 in M.Cr.C. No.48697/2024 while taking into consideration the factum that the witnesses are not coming forward to depose. Thus, it is contended by the counsel that the present applicant who is in custody since 16/02/2023 also

deserves to be released on bail as out of 28 witnesses, only 5 witnesses have been examined as yet.

3. Per contra, counsel for the State has opposed the application and submitted that previously two applications of the applicant have been dismissed on merit and there are direct allegations against the present applicant that he deceived the innocent persons, therefore, no case for bail is made out to the applicant.

4. Heard the submissions and perused the case diary. 5 . On perusal of record, it reflects that after dismissal of previous applications of the applicant on merit, bail application of co-accused Avani Dixit was allowed vide order dated 29/11/2024 in M.Cr.C. No.48697/2024 while taking into consideration the factum that the witnesses are not coming forward to depose and out of 28 witnesses, only 5 witnesses have been examined. Thus, considering the totality of the facts and circumstances of the case and while maintaining parity, this Court deems it to be a fit case to release the applicant on bail. Therefore, without expressing any view on the NEUTRAL CITATION NO. 2025:MPHC-JBP:14225 3 MCRC-10024-2025 merits of the case, the application is allowed.

6. It is directed that the applicant shall be released on bail on furnishing a personal bond in a sum of Rs.50,000/- (Rupees Fifty Thousand Only) with one surety in the like amount to the satisfaction of the trial Court concerned for his appearance before the said Court on all such dates as may be fixed in this regard during the pendency of trial.

7. It is further directed that the applicant shall comply with the provisions of Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita, 2023.

(MANINDER S. BHATTI) JUDGE Astha