

**IN THE HIGH COURT OF MADHYA PRADESH  
AT INDORE  
BEFORE**

**HON'BLE SHRI JUSTICE VIVEK RUSIA**

**ON THE 17<sup>th</sup> OF MARCH, 2023**

**MISC. CRIMINAL CASE No. 11556 of 2023**

**BETWEEN:-**

**KANAV KAPOOR S/O SHRI ARUN KAPOOR, AGED ABOUT 27 YEARS,  
OCCUPATION: BUSINESS R/O 1209 MAHAGUN MAPAL PLOT NO. 26 F  
BLOCK SECTOR 50 NOIDA (UTTAR PRADESH)**

**.....APPLICANT**

**(SHRI SURENDRA KUMAR GUPTA, LEARNED COUNSEL FOR THE  
APPLICANT.)**

**AND**

**THE STATE OF MADHYA PRADESH STATION HOUSE OFFICER  
THROUGH POLICE STATION CYBER CELL. DISTRICT INDORE  
(MADHYA PRADESH)**

**.....RESPONDENTS**

**(SMT. MAMTA SHANDILYA, LEARNED GOVT. ADVOCATE FOR  
RESPONDENT/STATE..**

**(MS. ASTHA SAXENA, LEARNED COUNSEL FOR THE COMPLAINANT.)**

*This application coming on for hearing this day, the court  
passed the following:*

**ORDER**

This is first application filed under Section 439 of Cr.P.C. by the applicant who is in custody since 1.3.2023 in connection with Crime No.100/2019 registered at Police Station Cyber Cell, Ujjain for the offence punishable under Section 419, 420, 468, 471, 201 of the I.P.C; and u/s. 66D of the Information Technology Act, 2000.

Learned counsel for the petitioner submits that the

complainant has made an allegation that the applicant has charged Rs.3,000/- for preparation of passport. Neither the passport was prepared nor amount of Rs.3,000/- was returned. Accordingly, the FIR has been registered. The applicant has falsely been implicated in this case. He, therefore, prays for grant of bail to the applicant.

On the other hand, learned Govt. Advocate appearing for the respondent/State, prays for rejection of the application.

Learned counsel for the complainant submits that amount of Rs.3,000/- has been returned to the complainant.

In view of the aforesaid facts and circumstances of the case, without commenting anything on the merits of the case, it would be appropriate to enlarge the applicant on bail.

Accordingly, this application is allowed and the applicant – **Kanav Kapoor** is directed to be released on bail upon his furnishing personal bond in the sum **of Rs.25,000/-** (Twenty Five Thousand) with one solvent surety in the like amount to the satisfaction of the trial Court for his regular appearance before the trial Court during trial with a condition that he shall remain present before the court concerned during trial and shall also abide by the conditions enumerated under Section 437(3) Cr.P.C.

C.C. as per rules.

( VIVEK RUSIA )  
JUDGE

Alok/-