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

**BEFORE  
HON'BLE SHRI JUSTICE PRAKASH CHANDRA GUPTA**

**ON THE 21<sup>st</sup> OF FEBRUARY, 2024**

**MISC. CRIMINAL CASE No. 52786 of 2023**

**BETWEEN:-**

**MANISH S/O GORDHANDAS JHAVERI, AGED ABOUT 53  
YEARS, OCCUPATION: BUSINESS 43 KESAR BAG ROAD,  
DIST. INDORE (MADHYA PRADESH)**

**.....APPLICANT**

**(SHRI MANISH YADAV, ADVOCATE)**

**AND**

**THE STATE OF MADHYA PRADESH STATION HOUSE  
OFFICER THROUGH POLICE STATION ANNAPURNA  
DIST. INDORE (MADHYA PRADESH)**

**.....NON-APPLICANT/STATE**

**(SHRI VIRAJ GODHA, PANEL LAWYER FOR STATE)**

**(SHRI PRADIP KUMAR GUPTA, ADVOCATE FOR OBJECTOR)**

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*This application coming on for order this day, the Court passed the  
following:*

**ORDER**

Heard with the aid of case diary.

This is second application filed under Section 439 of Cr.P.C. for grant of bail to the applicant/accused, relating to FIR/Crime No.311/2023 dated:- 22.06.2023 registered at Police Station - Annapurna, District - Indore (M.P.) for commission of offence punishable under Sections 420, 467, 468 and 471 of IPC.

2. His first bail application was dismissed on merit vide order dated 01.11.2023 passed by this Court in MCRC No.34861/2023.

3. Prosecution story, in brief, is that complainant Abhay Jhaveri had filed a written complaint on 06.06.2023 stating that grandfather of the applicant Gordhandas had bought physical shares of TTK Prestige, Haldeen Glass Gujarat, Reliance, Hindalco, TCFC Finance etc. Gordhandas had died on 01.10.1997. Applicant had made a fake Demat account at Arihant Capital, Indore. In the said account, the applicant had de-materialized the aforementioned shares bought by Gordhandas. After that, the applicant had either sold the shares to others or had transferred the shares to his Demat account. The applicant still uses the bank account (A/c No.53020096502 at SBI Shiv Sagar Estate, Worli, South Mumbai) of Gordhandas even after his death. The applicant has forged document in order to gain wrongfully by incurring wrongful loss to the complainant. After inquiry, an FIR was lodged on 22.06.2023 against the applicant.

4. Learned counsel for the applicant/accused submits that the applicant has not committed the offence and has falsely been implicated in the case. It is submitted that first bail application of the applicant was dismissed on merit vide order dated 01.11.2023. Applicant is in custody since 23.06.2023 and he has completed incarceration of about 07 months. Trial will take considerable long time for its disposal, therefore, in the changed circumstances, it is prayed that the applicant be released on bail.

5. On the other hand, learned counsel for the non-applicant/State as well as learned counsel for the objector have opposed the prayer and submitted that there is no change in the circumstances therefore, applicant is not entitled for bail.

5. Having considered the rival submissions and after perusal of the case diary so also the fact that there is no change in the circumstances, no case for

grant of bail is made out. Accordingly, this repeat bail application is **dismissed**.

**(PRAKASH CHANDRA GUPTA)**  
**JUDGE**

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