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MCRC-25999-2025

IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE

BEFORE

HON'BLE SHRI JUSTICE SUBODH ABHYANKAR

ON THE 11th OF JULY, 2025MISC. CRIMINAL CASE No. 25999 of 2025*PANKAJ KHANCHADANI**Versus**STATE OF MADHYA PRADESH*

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Appearance:

Shri Mukund Choudhary - Advocate for the applicant.

Shri Vinod Thakur - G.A. appearing on behalf of Advocate General.

Shri Lakhan Singh Panwar, learned counsel for the respondent [OBJ].
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ORDER

They are heard. Perused the case diary/challan papers.

2] This is the applicant's **second** bail application filed under Section 483 of B.N.S.S./ 439 of Criminal Procedure Code, 1973, as he / she is implicated in connection with Crime No.506/2021 registered at Police Station Sanawad, District Khargone (MP) for offence punishable under Sections 420 read with Section 34 of IPC and Section 4, 6(1) of Nikshepkon Ka Sanrakshan Adhiniyam. The applicant is in custody since 09/04/2025.

3] His first bail application M.Cr.C. No.5462/2022 was allowed by this Court on 02/02/2022 on the affirmation by the counsel for the applicant that the applicant is ready to deposit the entire amount within a period of three months time as has been agreed by him in an agreement with the complainant, however, the amount was not deposited and the applicant also sought extension of the aforesaid period on the ground that his amount to the tune of Rs.1 Crore 50 Lakhs is already defreezed in the bank account and unless the said account is defreezed,



he would not be able to make payment, and thus, further time was extended in M.Cr.C. No.12047/2022 dated 08/03/2022, whereas, the account of the applicant defreezed by an order passed by this Court on 13/06/2022 in Cr.R. No.870/2022. However, after the bank account of the applicant was defreezed, he withdrew the entire amount, which was more than Rs.1 Crore 50 Lakhs and eloped, and has been arrested only on 09/04/2025, which has led him file this second bail application.

4] Counsel for the applicant has submitted that the entire amount withdrawn by him from his bank account has been utilized to pay off the dues of the other persons and the complainant has already been paid a sum of Rs.4,26,000/-, however, in the bail application no such pleadings have been made but the counsel for the applicant has also submitted that the applicant is ready to deposit Rs.12 Lakhs in the trial Court, to which the counsel for the complainant has taken an objection that the applicant be directed to deposit the entire amount.

5] Counsel for the respondent / State, on the other hand has also opposed the prayer.

6] Having considered the rival submissions and on perusal of the case diary, it is apparent that the applicant has obtained a sum of Rs.16,50,000/- and has misused the liberty extended to him and had eloped with the entire money lying in his bank account without complying with the order passed by this Court and has been subsequently arrested on 09/04/2025, however, considering the fact that the applicant is ready to deposit the entire amount in the trial Court and the final conclusion of trial is likely to take sufficient long time and the case involves the investment by the complainant at the instance of the present applicant, this Court is inclined to allow the present application, subject to deposit of



Rs.14,00,000/- (Rupees fourteen lakhs) in the Trial Court.

7] Accordingly, without reflecting anything on the merits of the case, the application filed on behalf of the applicant is hereby allowed subject to depositing a sum of Rs.14,00,000/- (Rupees fourteen lakhs) by the applicant, or any other person on his behalf as directed below and the said amount shall be subject to the final outcome of the case by the trial Court.

8] It is further directed that upon applicant's or any other person on his behalf depositing a sum of f Rs.14,00,000/- (Rupees fourteen lakhs) in a fixed deposit in a nationalized bank and producing the receipt/certificate of the same before the concerned trial Court, he shall be released on bail on his furnishing a bond in the sum of Rs.25,000/- (Rupees twenty five thousand only) with one surety bond of the same amount to the satisfaction of the trial Court, to appear before the trial Court on the dates given by the Court. The deposit receipt/certificate so produced by the applicant shall be endorsed by the learned Judge of the lower Court to be, *'furnished towards the bail of the applicant and shall be subject to the final decision of the case by the trial Court'*. The applicant shall also abide by the conditions enumerated under Section 437 (3) Criminal Procedure Code, 1973.

9] M.Cr.C. stands *allowed* and *disposed of*.

(SUBODH ABHYANKAR)
JUDGE