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MCRC-29050-2025

IN THE HIGH COURT OF MADHYA PRADESH  
AT INDORE

BEFORE

HON'BLE SHRI JUSTICE SUBODH ABHYANKAR

ON THE 24<sup>th</sup> OF JULY, 2025

MISC. CRIMINAL CASE No. 29050 of 2025

*SUNDAR LAL AND OTHERS*

*Versus*

*THE STATE OF MADHYA PRADESH*

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Appearance:

*Shri Virendra Sharma - Senior Advocate with Shri Satish Yadav -  
Advocate for the applicants.*

*Shri Tarun Pagare - G.A. for respondent/State.*

*Shri Garvit Singh - Advocate for the objector.*  
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ORDER

1] They are heard and perused the case diary.

2] This is the applicants' first bail application filed under Section 483 of *Bharatiya Nagarik Suraksha Sanhita, 2023*/ Section 439 of Cr.P.C. as they are implicated in connection with Crime No.263/2025 registered at Police Station Neelganga, District- Ujjain (MP) for offence punishable under Sections 338, 336-3, 340-2, 318-4, 61-2 & 3-5 of B.N.S., 2023. The applicant is in custody since 09.06.2025.

3] Allegations against the applicants are that they were tried to execute a sale deed in respect of the dispute land in favour of a third party, despite the fact that the land in question was already sold by them though a registered sale deed to the complainant.



4] Senior counsel for the applicants has submitted that the applicants were actually selling their own land, which remained with them after the sale deed was executed in favour of the complainant, although no such grounds have been taken by the applicants in their bail application. It is also submitted that the applicant No.1 is a 70 years' old man, whereas the applicant No.2 is his son, and the dispute is civil in nature. Thus, it is prayed that the application be allowed.

5] The prayer is vehemently opposed by the counsel for the State as also the objector, and it is submitted that the fraud is apparent on the face of the record, as admittedly, despite selling the land to the complainant, whose name was also mutated in the revenue record, the applicants were bent upon to sell the land to a third party for a considerable amount, regarding which sale deeds were also signed and were submitted before the Registrar of Properties. Thus, it is submitted that no case for grant of bail is made out.

6] Heard counsel for the parties, and perused the record.

7] From the record, it is apparent that a detailed FIR has been lodged by the complainant contending that he has purchased the land situated at Gram Jeevankheda, Tehsil and District - Ujjain through a registered sale deed dated 13.11.2024 from applicant No.1 Sundar Lal S/o. Devi Singh, and his mother Jhunu Bai wife of Devi Singh as also another land from Gendalal S/o. Devi Singh through a registered sale deed executed on 03.03.2025, however, the complainant recently came to know that Sundarlal and his son Narsingh have completed the procedural formalities to sell the aforesaid land without any authority and the slot has also been booked for 09.06.2025 at



12:00 to 12:30 PM. The complainant's contention was that he is already in possession of Survey No.67/1/1/1 measuring 0.646 hectare, and his name is already mutated in the revenue record. In the considered opinion of this Court, the applicants have clearly tried to play fraud with the complainant, and in such circumstances, no case for grant of bail is made out.

8] Accordingly, the application is hereby *dismissed*.

9] However, the applicants would be at liberty to renew their prayer after the complainant is examined in the trial Court.

(SUBODH ABHYANKAR)  
JUDGE

Pankaj