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MCRC-34868-2025

IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE

BEFORE

HON'BLE SHRI JUSTICE SUBODH ABHYANKAR

ON THE 4th OF AUGUST, 2025

MISC. CRIMINAL CASE No. 34868 of 2025

SHUBHAM LOKHANDE

Versus

THE STATE OF MADHYA PRADESH

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Appearance:

Shri Amit Raj - Advocate for the applicant.

Shri Vishal Singh Panwar -Govt. Adv. appearing on behalf of
Advocate General[r-1].
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ORDER

1] They are heard. Perused the case-diary/challan papers.

2] This is the applicant's first application under Section 482 of the Bhartiya Nagrik Suraksha Sanhita,2023/Section 438 of Criminal Procedure Code, 1973 for grant of anticipatory bail as he/she is apprehending his/her arrest in connection with Crime No.451/2023, registered at Police Station Vijay Nagar, District Indore (M.P.) for the offence punishable under Sections 376, 376(2)(n),328, 294 & 506 of the IPC. This is the applicant's first bail application under 2] The allegation against the applicant is of rape on the pretext of marriage.

3] Counsel for the applicant has submitted that although the applicant is a resident of District Namded (Maharashtra) but, presently he is working in United Kingdom where he had gone in the year 28.7.2023 and was not aware that the present FIR has been lodged against him and it is only when his



family members came to know about the lodging of the FIR that he has been called to India. Counsel has also submitted that earlier also the applicant had come to India in the month of December 2023 in the marriage of his sister. It is submitted that his earlier arrival in India also demonstrate that he was not aware of any such offence having registered against him in the month of May 2023 otherwise he would have applied for the anticipatory bail at that time. In such circumstances, when the date of incident is stated to be from 01.07.2022 to 20.10.2022; whereas the FIR has been lodged on 14.05.2023, the custodial interrogation of the applicant would not be necessary as he is ready to co-operate in the investigation. Counsel has submitted that the applicant had gone to Union Kingdom after passing a written examination for Youth Motilities Scheme. Thus, it is submitted that the application may be allowed.

4] Counsel for the respondent has opposed the prayer.

5] Having considered the rival submissions, perusal of the case diary, as also the documents filed by the counsel for the applicant on record, it is apparent that the FIR has been lodged after a delay of nine months and the applicant was still residing in the UK and was unaware of the registration of the FIR. In such circumstances, the custodial interrogation of the applicant does not appear necessary.

6] Accordingly, without commenting anything on the merits of the case, the application filed by the present applicant is ***allowed***. It is directed that in the event of arrest, the applicant shall be released on bail, upon his executing a personal bond in the sum of Rs.25,000/- (**rupees twenty five thousand only**) and furnishing separate solvent surety in the like amount to the satisfaction



of the Arresting Officer (Investigating Officer)/ concerned trial court.

7] The applicant shall make himself available for interrogation by a Police Officer, as and when required. He shall further abide by the other conditions enumerated in Sub Section (2) of Section 438 of the Code of Criminal Procedure, 1973.

8] Accordingly, M.Cr.C. stands *allowed* and *disposed of*.

(SUBODH ABHYANKAR)
JUDGE

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