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MCRC-26417-2025

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE PRAMOD KUMAR AGRAWAL

ON THE 17th OF SEPTEMBER, 2025MISC. CRIMINAL CASE No. 26417 of 2025*RAHUL SINGH CHOUHAN**Versus**THE STATE OF MADHYA PRADESH*

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Appearance:

Shri Shafiqullah - Advocate for petitioner.

Shri Pradeep Gupta - Government Advocate for State.

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ORDER

The present M.Cr.C. has been filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 challenging the impugned order passed by Judicial Magistrate First Class Bhopal, District Bhopal on 16.05.2025 whereby learned trial Court has rejected an application of petitioner on the technical ground of non filing of Vakalatnama alongwith the application.

2. Learned counsel for petitioner submits that petitioner is ready to deposit the amount in compliance of the order dated 06.05.2025 passed in M.Cr.C. No.9387/2025. He further submits that he field an application before the trial Court, which was rejected on the ground that applicant had not filed Vakalatnama alongwith the application, therefore, he prays that he be given one more opportunity to deposit the amount in compliance of the aforesaid order.

3. Learned counsel for State has opposed the prayer made by learned



counsel for petitioner and submitted that the trial Court has rightly dismissed the application.

4. Heard learned counsel for rival parties and perused the record.

5. Looking to the facts and circumstances of the case, the petition is allowed and the impugned order dated 16.05.2025 is hereby set aside and the trial Court is directed to grant one more opportunity to the petitioner to deposit the amount in compliance of the order dated 06.05.2025 passed in M.Cr.C. No.9387/2025, before the trial Court within 30 days.

6. With the aforesaid, the M.Cr.C. is allowed and is hereby disposed of.

(PRAMOD KUMAR AGRAWAL)
JUDGE

Sateesh