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MCRC-10736-2026

IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE

BEFORE

HON'BLE SHRI JUSTICE SANDEEP N. BHATT

ON THE 4th OF MAY, 2026MISC. CRIMINAL CASE No. 10736 of 2026*GHANSHYAM PANCHAL**Versus**THE STATE OF MADHYA PRADESH*

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Appearance:

Shri Pankaj Goswami - Advocate for the applicant.

Shri Bhaskar Agrawal - Govt. Advocate for the respondent/State.

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ORDER

This is *first* application filed by the applicant under Section 483 of the Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail relating to FIR/Crime No. 359/2025 registered at Police Station - Panwasa District Ujjain for the offences punishable under Sections 69 and 351(3) of B.N.S, 2023. Applicant is in detention since 11.12.2025.

2. The allegation against the applicant is of having sexual relations with the prosecutrix on the false pretext of marriage. Accordingly, FIR was registered against the applicant.

3. Learned counsel for the applicant submits that the applicant is behind bar since 11.12.2025. Applicant is aged about 25 years and the complainant is aged 40 years. The chargsheet has already been filed. No criminal antecedents are reported against the applicant. Learned counsel



further submits that applicant and prosecutrix are major and both of them are in consensual relationship. He further submits that two months prior to lodging of FIR, applicant has sent communication to the DSP stating that the complainant has demanded money and threatened that she will rope the applicant in the false case of rape. Considering the age difference between the applicant and that the complainant had visited various places with the applicant and had physical relations with him. Since the trial would take time to conclude and as the applicant is behind bar for last more than four months, his application may be considered. It is further submitted that he will abide by all the conditions imposed by the Court, it is prayed discretion may be exercised and applicant may be released on bail, pending the trial.

4. Learned counsel for the State has opposed the prayer for grant of bail by stating that there are serious allegations made against the applicant. The complainant has clearly stated in her statement recorded u/S 183 of BNSS, 2023 that applicant had physical relations with her under the pretext of marriage and thereafter he resiled from his promise of marriage. Considering the seriousness of offence and other factors , he prays for rejection this bail application.

5. I have considered the rival submission made at the Bar and perused the case diary.

6. The applicant is aged about 25 years and the complainant is aged around 40 years and after the death of her husband, she got in touch with the applicant on Instagram. Their relationship continued for four months. They



have visited various places and had physical relations, but due to dispute between the complainant and the present applicant, their relationship turned sour. Moreso, the applicant has submitted a representation before the DSP about demand of money under the pretext of roping him in false case coupled with the fact that he is behind the bar since last more than four months. Considering the fact that applicant has no criminal antecedents and keeping in view the judgment passed by the Hon'ble Apex Court in the case of *Samadhan Vs. State of Maharashtra in Cr.A. No. 5001 of 2025 [2025 INSC 1351]* and that the trial will take considerable time to conclude as well as considering the principle 'bail is the rule, jail is an exception' as well as Article 21 of the Constitution of India, but without expressing any view on the merits of the case, I deem it a fit case to release the applicant on bail. Therefore, the application is allowed.

7. It is directed that applicant be released on bail on his furnishing a personal bond in the sum of Rs.50,000/- (**Rupees Fifty Thousand only**) with one solvent surety of the like amount to the satisfaction of the trial Court, for his regular appearance before the trial Court during trial with a condition that he shall remain present before the concerned Court on all the dates fixed by it during trial. In addition to this, **(i) he shall not influence the proceedings of trial ;(ii) he shall make himself available as and when required in trial; (iii) he shall not involve himself in any criminal activity otherwise prosecution shall be at liberty to move application for cancellation of bail and this order shall stand automatically cancelled and police and trial Court shall be at liberty to commit him in jail and; (iv) he shall abide by the**



conditions enumerated under section 480(3) of the Bhartiya Nagrik Suraksha Sanhita, 2023.

8. He shall strictly follow all above mentioned conditions. He shall not violate any of the conditions otherwise it will be open for the prosecution to pray for cancellation of bail.

9. This order shall be effective till the end of the trial. However, in case of bail jump and breach of any of the conditions of bail, it shall become ineffective.

Certified copy as per rules.

(SANDEEP N. BHATT)
JUDGE

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