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MCRC-24332-2026

IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE

BEFORE

HON'BLE SHRI JUSTICE GAJENDRA SINGH

ON THE 22nd OF MAY, 2026MISC. CRIMINAL CASE No. 24332 of 2026*SHREYANSH S/O MAHENDRA DHARIWAL**Versus**THE STATE OF MADHYA PRADESH*

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Appearance:

Applicant by Mr. Ashok Saravgi - Advocate appearing along with Ms. Varsha Gupta - Advocate.

Respondent - State of Madhya Pradesh by Mr. Viraj Godha - Government Advocate appearing on behalf of the Advocate General.

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ORDER

Heard with the aid of case diary.

This is **first** application filed under Section 482 of BNSS, 2023 (Section 438 of Cr.P.C, 1973) for grant of anticipatory bail during trial relating to FIR/Crime No.390 of 2025 dated 27.07.2025 registered at Police Station MIG Thana, Indore, District Indore (MP) for offence under Sections 406, 409, 420 and 120-B read with Section 34 of Indian Penal Code, 1860.

The case has been registered on the directions of the Judicial Magistrate First Class, Indore on an application filed under Section 156 (3) of the Code of Criminal Procedure, 1973.

2. In Brief, the facts of the case are that the applicant is in the business of Film Production and holds a good reputation in the society at large. The



applicant is a partner at M/s. Sugar and Spice Production Partnership Firm. The applicant states that by this time, they have produced more than 50 Films which have been released successfully in the Box Office and have been appreciated by all concerned.

2.1 The applicant states that with this background of the matter, the applicant along with associates has also produced a Hindi feature film KOKA KOLA, now known as “Lucky”, starring SUNNY LEONE, BRAHMANANDAN, SUNIL VERMA, RAHUL DEV.

2.2 The applicant states that for the purpose of completing the said film, the applicant needed necessary financial assistance and accordingly, the applicant came across the complainant.

2.3 The applicant states that the complainant had shown necessary interest in the Film Industry as in the future, he wanted to produce the film independently and accordingly, the complainant came forward to render necessary financial assistance to the said project of the applicant (s) which was being produced under the name and style of Movie koka kola known as ‘Lucky’.

2.4 The applicant states that accordingly, the complainant had agreed to render necessary financial assistance to the tune of Rs.52,00,000/- to the said firm for the purpose of production of the said film.

2.5 The applicant states that accordingly the applicant (s) received an amount of Rs.52,00,000/- (rupees fifty two lakh) from the complainant as financial assistance vide agreement dated 15.09.2019 (Annexure A/2).



2.6 The applicant also states that the applicant (s) has also entered into an agreement with Zee Films vide agreement dated 11.06.2019 (Annexure A/3). The applicant also states that they have completed the entire film and also procured the necessary Censor Certificate vide Annexure A/4.

2.7 The applicant further states that the complainant lodged a private complaint before learned trial court, whereby learned JMFC, Indore vide order dated 12.07.2025 has ordered the concerned Police Station for registration of First Information Report (FIR) under Sections 406, 409, 420, 120-B and 34 of IPC against the applicant (s). Hence, a case has been registered against the present applicant (s).

3. As per the prosecution case, allegation against the applicant (s) is that an amount of Rs.52,00,000/- (rupees fifty two lakhs) was obtained by them for production of Hindi Feature Film "Koka Kola" under the production of M/s. Sugar and Spice Production Partnership Firm with cheating, dishonest inducing, criminal conspiracy and criminal breach of trust, however, for financial gains, the song of the aforesaid film has been released to Zee Music Company in violation of the agreement executed between the parties.

4. The matter in dispute is that here the cause of action in the case is that the applicant including four other persons in joint venture has produced a film in the name and style "Koka Kola" now known as 'Lucky' under the partners of M/s. Sugar and Spice Production Partnership Firm; and for that purpose, financial assistance of Rs.52,00,000/- was obtained from complainant Sanjay Bindal S/o G.L. Bindal and executed an agreement dated



28.06.2019; and Clause 7 of the agreement was in the form of negative covenant not to release the said picture or its promo, trailer, poster, songs in any formal including print and digital format world wide till the final payment to the satisfaction of the party of the first part is repaid, but the song of the aforesaid films has been released through U-Tube Channel of Zee Music Company. Hence the applicant (s) has been implicated in the present case.

5. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present crime. It is further submitted that the applicant (s) is ready and will to deposit the total amount of Rs.52,00,000/- (rupees fifty two lakh) in installments within a time bound period. Conclusion of trial will take sufficient long time. It is submitted that the custodial interrogation is not required. Under these circumstances, learned counsel prays for grant of anticipatory bail to the applicant.

6. Learned counsel for the respondent - State has opposed the application and prayed for its rejection.

7. I have heard learned counsel for the parties and perused the record.

8. Having considered the rival submissions and looking to overall facts and circumstances of the case, and considering the fact that there is no custodial requirement of the applicant (s) in the investigation and the fact that the applicant is ready to deposit the entire amount, this Court is of the view that it is a fit case to grant anticipatory bail to the applicant, hence, without commenting on the merits of the case, this application is **allowed**.

8. It is directed that in the event of arrest, applicant (s) shall be released



on furnishing a personal bond in the sum of **Rs.50,000/- (Rupees Fifty Thousand Only)** with one solvent surety in the like amount to the satisfaction of the Arresting Authority, the applicant (s) shall furnish bail bond of same amount before committal Court/trial Court to its satisfaction. The applicant (s) shall comply with the following conditions: -

(i) that he/she shall make himself/herself available for interrogation by a police officer, as and when required.

(ii) that he/she shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer.

(iii) the applicant shall further abide by the other conditions enumerated in sub-Section (2) of Section 482 of BNSS, 2023.

(iv) **The applicant (s) shall deposit the entire amount of Rs.52,00,000/- (rupees fifty two lakhs) in dispute within a period of forty five days from today; and in case the entire amount in dispute is not deposited within the stipulated period, the prosecution / aggrieved party shall be free to move an appropriate application in this regard.**

9. With the aforesaid, this application stands disposed of.

Pending interlocutory application, if any, also stands disposed off.

Certified copy, as per Rules.

(GAJENDRA SINGH)
V. JUDGE