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MCRC-19533-2026

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE RAMKUMAR CHOUBEY

ON THE 22nd OF JUNE, 2026MISC. CRIMINAL CASE No. 19533 of 2026*DEEPAK JAIN**Versus**THE STATE OF MADHYA PRADESH*

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Appearance:

*Shri Manish Datt - Senior Advocate with Shri Nishank Pal Varma -
Advocate for the applicant.*

Shri Saurabh Kumar Tiwari - Advocate for the objector.

Shri Sourabh Soni - Panel Lawyer for the respondent/State.

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ORDER

This first application under Section 482 of Bhartiya Nagarik Suraksha Sanhita, 2023 has been filed on behalf of the applicant for grant of anticipatory bail.

2. Applicant is apprehending his arrest in connection with Crime No.386/2026 registered at Police Station- Kotwali, District Narmadapuram for commission of the offence punishable under Sections 331(6), 296(b), 115(2), 351(3) r/w 3(5) of BNS, 2023.

3. Indisputably, the applicant is an elected President of the District Bar Association in Narmadapuram, while the complainant, Rakesh Kumar Sharma, served as its elected Treasurer. During an office-bearers' meeting on 17.04.2026, a dispute arose. This disagreement led to a WhatsApp



altercation between the complainant and the applicant's son, Rohan in the group chat of Bar Association.

4. According to the prosecution, the applicant called the complainant (from mobile number 9827210074 to 8770704352), using abusive language and warning that his sons, Rohan and Munnu, were on their way to assault him. Subsequently, on 17.04.2026 at approximately 10:15 PM, while the complainant was in his office with Advocate Keshav Singh and an employee, Durgesh, the co-accused Rohan and Munnu forcibly entered. They allegedly abused and assaulted the complainant, causing him injuries.

5. Learned Senior Counsel for the applicant sanguinely submits that the applicant is innocent and has been falsely implicated in the case. It is vehemently submitted that even taking the prosecution's case at face value, no active role is attributed to the present applicant, and no *prima facie* case is made out regarding the alleged offences. The applicant was neither present at the spot nor did he directly abuse the complainant or any other person. Furthermore, the Call Detail Records (CDR) completely falsify the prosecution's narrative. The records reveal that it was the complainant who initiated calls to the applicant twice on 17.04.2026 between 22:16 PM and 22:27 PM, rather than the applicant calling the complainant. The learned Senior Counsel submits that this is a case of absolutely 'no evidence' against the present applicant, thereby making a fit case for the grant of anticipatory bail. Therefore, it is prayed that the applicant may be given benefit of anticipatory bail.

6. Learned counsel for the respondent/State submits that the accused



persons have caused injuries to the complainant at the instance of the applicant as it is revealed from the FIR itself, and more importantly the applicant is named in the FIR and the matter is under investigation, therefore the applicant is not entitled for grant of anticipatory bail.

7. Learned Counsel for the objector vehemently opposes the bail application on similar lines and additionally submits that the local police have failed to take appropriate action against the co-accused persons to date, demonstrating that the investigating agency is working under the undue influence and pressure of the applicant. It is further submitted that the co-accused persons, who are the sons of the present applicant, assaulted and caused injuries to the complainant at the direct instigation of the applicant. Consequently, the applicant is disentitled to the grant of anticipatory bail. Furthermore, learned counsel submits that since the provisions of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act (for brevity "SC/ST Act") have been invoked in the present case, the statutory bar created thereunder completely precludes the maintainability of an application for anticipatory bail.

8. In response to the arguments pertaining to the provisions of SC/ST Act, learned senior counsel for the applicant submits that since the applicant was not present at the spot and he had no altercation directly or indirectly with the complainant as well as the said Durgesh, the offence under SC/ST Act *prima facie* has not been made out against the applicant.

9. It is noteworthy that since this matter pertains to a dispute between elected members of the District Bar Association, Narmadapuram, this Court,



vide order dated 06.05.2026, initially attempted to resolve the issue through an amicable settlement. Despite granting adequate opportunities to both sides, the mediation attempt proved unsuccessful.

10. While deciding a bail application, it is a settled principle that this Court is not required to discuss the merits of the case in detail, however, a *prima facie* evaluation of the allegations is essential. In the case at hand, the sole allegation in the FIR against the present applicant is that he made a phone call to the complainant, using abusive language and threatening that his sons were coming to assault him. Crucially, the Call Detail Records (CDR) contradict this assertion, revealing that it was the complainant who initiated the call to the applicant. No material or evidence has been placed before this Court to demonstrate that the applicant called the complainant at the relevant time. Furthermore, it is indisputable that the applicant was not present at the spot where the alleged physical altercation took place between the complainant and the co-accused.

11. Quite apart, a perusal of the impugned order reveals that the learned trial Court rejected the bail application without pointing to any incriminatory material that could justify the denial of bail as it does not disclose any specific overt act attributed to the applicant.

12. Since no *prima facie* case is made out against the applicant under the SC/ST Act, this Court is inclined to grant anticipatory bail. Accordingly, without expressing any opinion on the merits of the case, the anticipatory bail application filed on behalf of the applicant stands allowed.

13. It is directed that in the event of his arrest, applicant **Deepak Jain** be



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released on bail on his furnishing a personal bond of **Rs.50,000/- (Rupees Fifty Thousand)** with one solvent surety of the like amount to the satisfaction of the Arresting Officer. It is also directed that the applicant shall abide by the conditions as enumerated under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

14. Accordingly, this MCRC stands allowed.

(RAMKUMAR CHOUBEY)
JUDGE

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