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MCRC-59509-2025

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE RAMKUMAR CHOUBEY

ON THE 14th OF JANUARY, 2026MISC. CRIMINAL CASE No. 59509 of 2025*NASIR**Versus**THE STATE OF MADHYA PRADESH*

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Appearance:

Shri Srajan Narang - Advocate for the applicant.

Shri K.S.Patel- Panel Lawyer for the respondent-State.

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ORDER

This is the first bail application filed by the applicant under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail relating to FIR/Crime No.243/2025 registered at Police Station- Moghat Road, District Khandwa (M.P.) for the offences punishable under Sections 329(4), 333, 296, 115(2), 351(3), 3(5), 111(7) of BNS. Applicant is in custody since 16.11.2025.

2. As per the prosecution story, the complainant has given his house to the applicant and his family members on rent, and since the applicant is not vacating the rented house, an altercation took place between the complainant party and the family members of the applicant. Consequently on 30.7.2025 at about 8:00 PM, the wife and son of the applicant have entered into the house of the complainant party, abused them and slapped them. On the basis of this, the offences punishable under Sections 329(4), 333, 296, 115(2), 351(3),



3(5) vide Crime No.243/2025 have been registered against the applicant, and during the investigation only on the basis of certain criminal antecedents of the present applicant, Section 111(7) of BNS is also added.

3. Learned counsel for the respondent/State on query is unable to convince this Court with respect to any incriminating material available against the present applicant including the offence under Section 111(7) of BNS.

4. From the prosecution case, there was no role of present applicant except he was one of the occupiers of the house as tenant along with other family members, who have quarrelled with the complainant party. Undoubtedly, there are criminal antecedents showing as many as 32 cases registered against the present applicant, but in this case he has no role at all and this Court is surprised to see how the Investigation Agency misused its power by adding Section 111(7) of BNS against the person, infact who has no role in commission of the offence, registered against the co-accused persons. Ofcourse, a person having criminal past must be dealt with hard hands, but not in this way when he is implicated without any basis in a criminal case and charged with the offence like defined as "Organised Crime" for which no iota of evidence is available. It is a sheer misuse of the powers on the part of the State Investigation Agency.

5. Under these circumstances, this Court is inclined to extend the benefit of bail to the present applicant. Thus, without commenting anything on the merits of the case, this application is allowed.

6. It is directed that the applicant **Nasir** shall be released on bail on his



furnishing a personal bond in the sum of Rs.5,000/- (Rupees Five Thousand Only) with one surety in the like amount to the satisfaction of the trial Court concerned, for his appearance before the said Court on all such dates as may be fixed during the pendency of trial. It is further directed that the applicant shall comply with the provisions of Section 480(3) of the BNSS.

7. Accordingly, M.Cr.C. stands disposed of.

(RAMKUMAR CHOUBEY)
JUDGE

Ansari