

IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE

BEFORE

HON'BLE SHRI JUSTICE SUBODH ABHYANKAR

ON THE 27th OF SEPTEMBER, 2025

MISC. CRIMINAL CASE No. 35439 of 2025

JITENDRA CHAWLA

Versus

THE STATE OF M. P.

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Appearance:

Shri Varun Mishra - Advocate for the applicant.

Shri Vishal Singh Panwar - G.A. for the State.

Shri Satanand Choubay - Advocate for the objector.

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WITH

MISC. CRIMINAL CASE No. 35040 of 2025

HEMANT

Versus

THE STATE OF MADHYA PRADESH

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Appearance:

None present for the applicant.

Shri Vishal Singh Panwar - G.A. for the State.

Shri Satanand Choubay - Advocate for the objector.

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MISC. CRIMINAL CASE No. 37189 of 2025

ANTIM @KAMAL JAIN

Versus

THE STATE OF MADHYA PRADESH

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Appearance:

Ms. Shubhangi Solanki - Advocate for the applicant.

Shri Vishal Singh Panwar - G.A. for the State.

Shri Satanand Choubay - Advocate for the objector.

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MISC. CRIMINAL CASE No. 39590 of 2025

ARVIND PARMAR

Versus

THE STATE OF MADHYA PRADESH

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Appearance:

Shri Laveesh Sethia - Advocate for the applicant.

Shri Vishal Singh Panwar - G.A. for the State.

Shri Satanand Choubay - Advocate for the objector.

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ORDER

1] This order shall govern the disposal of M.Cr.C. Nos.35439/2025, 35040/2025, 37189/2025 and 39590/2025 as all these cases have arisen out of the same crime No.775/2025 registered at police station Chandan Nagar, Indore.

2] For the sake of convenience, the facts as narrated in M.Cr.C. No.35439/2025 are being taken into consideration.

3] They are heard. Perused the case diary/challan papers.

4] M.Cr.C. Nos.35439/2025, 35040/2025, and 39590/2025 are the applicants' first anticipatory bail applications filed by the applicants Jitendra, Hemant Verma and Arvind Parma under Section 482 of Bhartiya Nagrik Suraksha Sanhita, 2023 (Section 438 of Criminal Procedure Code, 1973) as they are implicated/apprehending their arrest in connection with Crime No. 775/2025 registered at police station Chandan Nagar, Indore (MP) for offence punishable under Section 108 and 3(5) of BNS, 2023 and 3 and 4 of

M.P. Protection of Debtors Act, 1937.

5] Whereas, M.Cr.C. No.37189/2025 is the first regular bail application of applicant Antim @ Kamal Jain under Section Section 483 of Bhartiya Nagrik Suraksha Sanhita, 2023 (Section 439 of Criminal Procedure Code, 1973). The applicant Antim @ Kamal Jain is lodged in jail since 21/07/2025.

6] The allegation against the applicants are that they abetted the suicide of one Mahendra S/o Kantilal, who committed suicide on 18/07/2025 in front of District Hospital, Indore by consuming poisoning substance, however, before committing the suicide, he also made a video of himself before three days of the incident i.e., on 15/07/2025, which was also circulated on social media, and in the said video, he has named all the applicants as the persons responsible for his death as it was alleged that the deceased had taken various loans from the accused persons and despite payment of the principal amount, they were threatening him to pay more towards interest.

7] Counsel for the applicants have submitted that they have been falsely implicated in the case only because of monetary transaction between the parties. It is submitted that there are no criminal antecedents of the applicants and they are all cloth merchants and had lent the goods and money to the deceased on credit, which was embezzled by him and he had also eloped from Indore at one point of time, and surfaced only after around one month, and the news about the fraud which was played by the deceased has also been circulated on print media, copy of which has also been filed on record. It is submitted that the deceased did not want to commit suicide and that is why he consumed the poison just in front of the hospital so that he could be saved by the doctors then and their only, however, he died unfortunately and

the video clip in which the names of the accused persons were mentioned as the persons who were harassing him was only a calculated move by him to pressurise the applicants, who had already given huge amount to the deceased, certain agreements of loan have also been filed on record. It is also submitted that if the applicants are arrested, grave prejudice would be caused to them and their reputation in the market and in the society would be tarnished and they would suffer irreparable loss. Hence, it is submitted that the applications be allowed, and the applicants be released on bail. In support of the submissions, counsel for the applicant has relied upon the decision rendered by the Supreme Court in the case of Mahendra Awase vs. State of M.P. Reported as (2025) 4 SCC 801.

8] Counsel for the respondent / State as also the objector, on the other hand have vehemently opposed the prayer and it is submitted that no case for grant of bail is made out looking to the suicide note in the form of video clip as no other proof of abetment is required.

9] Having considered the rival submissions and on perusal of the case diary as also the documents filed on record and the decision relied upon by the counsel for the applicants, it is apparent that the deceased had taken various amounts from various persons including the applicants, and the news about his embezzlement has also been circulated in print media. It is also found that one of the accused, Arvind Parmar had also pleaded him to give his amount as he was facing grave financial difficulties.

10] In such facts and circumstances of the case, which are quite disputed, this Court is of the considered opinion that merely because the deceased had left a suicide note in the form of a video clip, would not be a reason to deny

the facility of bail to the applicants, who otherwise have no criminal antecedents, and the amount which they had given to the deceased was in the course of their business only. In such circumstances, this Court finds that the custodial interrogation of the applicants would not be necessary.

11] Accordingly, without commenting on the merits of the case it is directed that in the event of arrest, applicants Jitendra, Hemant Verma and Arvind Parma shall be released on bail, upon their executing a personal bond in the sum of Rs.25,000/- (rupees twenty five thousand only) each and furnishing solvent surety each in the like amount to the satisfaction of the Arresting Officer (Investigating Officer).

12] Similarly, the regular bail application filed by the applicant Antim @ Kamal Jain is also allowed. The applicant Antim @ Kamal Jain is directed to be released on bail upon furnishing a personal bond in the sum of Rs.25,000/- (rupees twenty five thousand) 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 court concerned during trial and shall also abide by the conditions enumerated under Section 437 (3) Criminal Procedure Code, 1973.

13] All the bail applications stand *allowed*.

(SUBODH ABHYANKAR)
JUDGE