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MCRC-4158-2026

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE SANDEEP N. BHATT

ON THE 5th OF FEBRUARY, 2026MISC. CRIMINAL CASE No. 4158 of 2026*KHUSHI KAUR**Versus**STATE OF MADHYA PRADESH,*

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Appearance:

Shri Sourabh Kumar Sharma - Advocate appear through V.C. with
Shri Vikash Kumar Santu - Advocate for the applicant.

Shri Ramji Pandey - Government Advocate for the respondent/State.
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ORDER

This is the first application filed by the applicant under Section 483 of BNSS/439 of Cr.P.C. for grant of regular bail relating to Crime No.10/2026 registered at Police Station Madanmahal, District Jabalpur (M.P.) for commission of offences under Section 8/20 of NDPS Act. The applicant is in custody since 11.01.2026.

2. Learned counsel for the applicant has submitted that *prime facie* applicant has falsely been implicated in the case. He has further submitted that in fact some of the Police personnel misbehaving with the applicant when she was traveling in the train and thereafter as she raised an objection, then they forcefully taken in the Police Station and thereafter an FIR has been registered against her. He further submitted that even her mobile phone and some carry bags were missing from herself. He further submitted that



she made a representation before the higher Officer about the conduct of the Investigating Officer in the matter, but no response is received. He further submitted that she has applied for the copy of the CCTV footage of the railway Station as well as Police Station for that particular period. Since this Court in this regard has passed the order on 29.01.2026 and 03.02.2026. The orders of this Court are indicated as under:-

"Learned counsel for the applicant has drawn by attention towards the documents produced along with the covering memo, which include CCTV footage of the incident dated 10.01.2026 for the time period between 8:30 to 9:15 P.M. at night of Platform No.1 at Nainpur station. CCTV footage of Madanmahal P.S. dated 11.01.2026 for the time period between 4:00 A.M. to 6:00 A.M. of morning and for time period between 11:00 P.M. to 12.15 A.M. of Platform No.4 at Madan Mahal railway station dated 10.01.2026.

The concerned Investigating Officer shall produce the aforementioned CCTV footage along with the necessary report in a separate pen drive, and the same shall be produce in a sealed cover through the learned counsel for the State on the next date of hearing.

List this matter on 03.02.2026."

"Pursuant to the earlier order of this Court, the concerned investigation officer was not present in the first half. The Court has asked the Government Advocate to convey the concerned police officer to remain present before this Court in second half.

In pursuance to the said instruction, Shri Dheeraj Roy, TI of Police Station Madan Mahal, Jabalpur is present and he has produced on record the copy of pen-drive in two sets containing the CCTV footage in a sealed cover.

The Court has tried to perused the same but considering the length of such footage, it would be appropriate that the counsel for the petitioner and counsel for the State



will sit together and see the footage and the counsel for petitioner will point out after watching the CCTV footage about the contents captured in the CCTV, for which the counsel for petitioner has made allegations and the same shall be informed to the Court on the next date of hearing so that the Court can also peruse the same.

List this matter on 05.02.2026.

The presence of the concerned investigating officer is required and he will remain present before the Court on the next date of hearing."

3. Learned counsel for the applicant further submitted that CCTV footage is now available but complete CCTV footage of Police Station is not available on record and some of the CCTV footage are available from that also footage which indicates that the applicant has forcefully implicated in the matter by the concerned Officer by creating forged case against her.

4. Learned counsel for the State submitted that the Investigating Officer who is Police Inspector is present before this Court. He further submitted that counsel for the applicant and counsel for the State have jointly perused the CCTV footage which is supplied in the pen drive on last date of hearing. He further submitted that there is no clear footages found as per his opinion from the CCTV footage which clearly indicates that the present applicant is forcefully taken into the custody by any concerned personnel more particularly the said Police personnel. He further submitted that during course of the investigation, the statement of the Hotel manager at Raipur, Chhatisgarh was recorded in which he stated that on 07.01.2026, one boy and girl initially have given wrong identity, when manager insisted for the Adhar Card, thereafter they had given Adhar Card and on the said Adhar



Card, name of one boy is found as Yashwant Sonkar and girl is found as Khushi Gujral. They stayed together in one room which creates suspicion about the conduct of the present applicant. He has further submitted that the investigation is still going on and merely because there is some allegation regarding the actual place of arrest of the applicant is not a proper ground for positive consideration of the application for bail.

5. Considering the submission made at the Bar and considering the nature of the allegation in the FIR and also considering the conduct of the applicant which emerges from the record and more particularly, the statement of the hotel manager, however, there is serious controversy raised about the conduct of the Police personnel which is including the Investigating Officer who got registered the FIR against the applicant, I am of the view that this is not a fit case to exercise discrimination in favour of the present applicant. More particularly, when the investigation is still going on. Hence, this is not a fit case where applicant can be enlarged on bail.

6. Accordingly, the application is **dismissed**.

7. It is appropriate to direct the highest Police Officer Range, the concerned Inspector General of Police, Jabalpur, to inquire in such issue and look into the matter thoroughly and examine various aspects, including the CCTV footage and CDR of mobile location of accused and Police personnels against whom allegation are made. The officer shall appropriately consider the grievance of the applicant regarding alleged false implication, and shall conduct a detailed, fair, and impartial inquiry. The inquiry shall also include verification of all relevant aspects of the matter to ascertain whether the



investigation has been properly conducted by the investigating officer and whether there is any substance in the allegation of a false implication in offence made by the present applicant.

8. The Officer shall prepare a detailed inquiry report and submit the same to this Court through the Registrar (Judicial) within two weeks from today. The inquiry shall be carried out forthwith in accordance with law failing to do so, will be viewed seriously.

(SANDEEP N. BHATT)
JUDGE

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