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MCRC-23771-2026

IN THE HIGH COURT OF MADHYA PRADESH
AT GWALIOR

BEFORE

HON'BLE SHRI JUSTICE ASHISH SHROTI

ON THE 20th OF MAY, 2026

MISC. CRIMINAL CASE No. 23771 of 2026

MUKESH AGARWAL

Versus

THE STATE OF MADHYA PRADESH

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Appearance:

Shri Aman Raghuwanshi - Advocate for the applicant.

Ms.Monika Mishra - Public Prosecutor for respondent/State.

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ORDER

This is the *first* application under Section 482 of the Bhartiya Nagrik Suraksha Sanhita, 2023, for grant of anticipatory bail filed by the applicant who apprehends his arrest in connection with Crime No.205/2026 registered at Police Station - Morar, District Gwalior (M.P.) for the commission of offence under Sections 318(4), 316(2) of the BNS, Section 3(4) of M.P. Nikshepakon ke Hiton Ka Sanrakshan Adhiniyam, 2000, and Sections 3, 4, 5, 6(1) of the Chit Fund Act, and Section 58-B, 5A of the Reserve Bank of India Act.

2. Learned counsel for the applicant submits that the applicant has been falsely implicated in the matter. He has not committed any offence in any manner. All the offences are punishable by less than 7 years. He is ready to abide by all the terms and conditions as may be imposed by this court. Learned counsel for the applicant prays that the application may be allowed



in terms of decision of the Apex Court in the case of *Arnesh Kumar Vs. State of Bihar, (2014) 8 SCC 273*.

3. *Per contra*, learned counsel for the State has opposed the application and prayed for its rejection.

4. Considering the facts and circumstances of the case, since the offence in question attracts punishment less than 7 years, therefore, in view of the principles laid down by the Supreme Court in the case of *Arnesh Kumar (supra)*, it is directed that police may resort to the extreme step of arrest only when the same is necessary and the applicant does not cooperate in the investigation. The applicant should first be summoned to cooperate in the investigation. If applicant cooperates in the investigation, then the occasion of his arrest should not arise.

5. With the aforesaid directions, the present anticipatory bail application stands *disposed of*.

Certified copy as per rules.

(ASHISH SHROTI)
V. JUDGE