

To,

**Hon'ble The Chief Justice,
High Court of Madhya Pradesh**

Subject: Representation regarding arbitrary and non-consideration of parity in grant of anticipatory bail and inappropriate remarks by **Hon'ble Justice Shri Gurpal Singh Ahluwalia.**

Respected My Lord,

I, **Advocate Dolly Soni**, enrolled vide Enrollment No. 4240/2010, humbly submit this representation seeking kind intervention in the interest of justice and to uphold the majesty of law.

A. That, an anticipatory bail application bearing MCRC No. 18067/2026 was filed on behalf of the applicant Vijay Shankar Kanakne, who was arrayed as an accused in an FIR registered under Section 108 of Bharatiya Nyaya Sanhita.

B. That in the said FIR, there are four accused persons, namely:

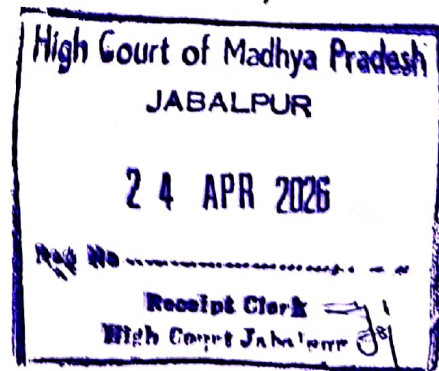
- Sandeep Kumar Gupta @ Mantu Gupta (main accused)
- Sandeep Kumar Gupta @ Deepak Gupta
- Preetesh Billaiya
- Vijay Shankar Kanakne (present applicant)

C. That it is most respectfully submitted that all the co-accused persons, including the main accused, have already been granted anticipatory bail by the Hon'ble Court (Hon'ble Justice Devnarayan Mishra) in the following cases:

MCRC No. 15826/2026

MCRC No. 16806/2026

MCRC No. 16044/2026



D. That the applicant Vijay Shankar Kanakne, aged about 67 years, stands on a better footing than the co-accused and is entitled to the benefit of parity, which is a well-settled principle of law.

E. That, today the matter was listed before **Hon'ble Justice Shri G.S. Ahluwalia**, at no.6 however, it is submitted with utmost respect that:

- The case was dismissed mechanically, without due consideration of parity.
- Certain personal remarks were made against the undersigned counsel, which were not warranted in judicial proceedings.

F. The applicant was compelled to withdraw the application, despite having a strong case on merits.

G. That it is further submitted that:

- The alleged offence under Section 108 BNS is prima facie not attracted, as the complainant has survived and no suicide has occurred.
- The FIR itself has been lodged after an inordinate delay of about three months, raising serious doubts on its credibility.
- The complainant was discharged from hospital within a short period, further weakening the prosecution case.

H. That in such circumstances, denial of anticipatory bail to the present applicant, when similarly placed co-accused have already been granted relief, results in grave miscarriage of justice and shakes the confidence of the litigant in the judicial system.

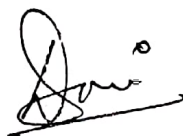
- I. That any unwarranted personal remarks against a member of the Bar, especially a lady advocate, adversely affects the dignity of the legal profession and calls for appropriate consideration.

PRAYER

In view of the above facts and circumstances, it is most humbly prayed that this Hon'ble Court may kindly:

- a) Take appropriate administrative cognizance of the matter.
- b) Issue necessary directions to ensure uniformity and consistency in judicial orders, particularly in cases involving parity.
- c) Take appropriate steps regarding the conduct and remarks made during the proceedings, so as to maintain the dignity of the Bar and Bench.
- d) Pass any other order deemed fit in the interest of justice.

Place: Jabalpur
Date: 24/04/2026



Yours faithfully,
Dolly Soni (Advocate)
Enrollment No. 4240/2010

ANNEXURES ENCLOSED:

1. Copy of order dated 17.04.2026 passed in MCRC No. 16806/2026.
2. Copy of order dated 20.04.2026 passed in MCRC No. 16044/2026.
3. Copy of order dated 21.04.2026 passed in MCRC No. 15826/2026.
4. Copy of Screenshot of Case Status of MCRC No. 18067/2026.

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE DEVNARAYAN MISHRA

ON THE 21st OF APRIL, 2026

MISC. CRIMINAL CASE No. 15826 of 2026

SANDEEP KUMAR GUPTA @ MANTU GUOTA

Versus

THE STATE OF MADHYA PRADESH

Appearance:

Shri Yogesh Soni - Advocate for the applicant.

Shri Amit Garg - Panel Lawyer for the respondent/State.

ORDER

This is the first application filed by the applicant under Section 482 of Bharatiya Nagrik Suraksha Sanhita, 2023 seeking anticipatory bail in connection with FIR/Crime No.309/2026 registered at Police Station- Kotwali, District-Katni (M.P.) for the offence punishable under Sections 108, 62 and 54 of BNS and Sections 3 and 4 of Debtor's Protection Act.

2. Learned counsel for the applicant has submitted that an agreement to sell the house was executed by the complainant in favour of the co-accused for a consideration of Rs.10,00,000/-. On 21.07.2025, an amount of Rs.3,51,000/- was paid through an IDBI Bank account. It is further submitted that the co-accused came to know that the said property was mortgaged with Vidhi Home Finance Limited Company. On that, the co-accused consulted the complainant and asked him to return the money



and the complainant has not returned the money and has falsely implicated the applicant and other co-accused. This Court vide order dated 20.04.2026 passed in M.Cr.C. No.16044 of 2026 (Pritesh Billaiya Vs. The State of Madhya Pradesh) has enlarged the co-accused on anticipatory bail, hence, the applicant be also released on anticipatory bail.

3. Learned counsel for the objector has opposed the anticipatory bail application and has submitted that no case of anticipatory bail is made out.

4. Learned counsel for the State has opposed the anticipatory bail application.

5. Heard the parties and perused the case diary.

6. On perusal of the contents of the FIR, it is clear that the complainant borrowed an amount of Rs.8,00,000/- from Vijay Kankane @3% interest, an amount of Rs.3,51,000/- from Pritesh Billaiya @10% interest and an amount of Rs.2,00,000/- from this applicant. It is alleged that all these persons were demanding money from the complainant.

7. Looking to the factual aspects of the case coupled with the facts that the complainant has been saved alive, this Court deems it appropriate to enlarge the applicant on anticipatory bail. Thus, without commenting anything on the merits of the case, the application is allowed.

8. It is directed that in the event of arrest, the applicant shall be enlarged on bail on his furnishing a personal bond in a sum of Rs.50,000/- (Rupees Fifty Thousand Only) with one solvent surety of the like amount to the satisfaction of the Arresting Officer for his appearance before him during the course of investigation or before the trial Court



concerned during trial, as the case may be.

9. The applicant is directed to cooperate with the investigating agency and if required by the police, also appear on the date and time directed by the Investigating Officer.

10. It is further directed that the applicant shall abide by all the conditions as enumerated under Section 482(2) of BNSS.

11. Accordingly, the application stands disposed of.

Certified copy as per rules.

(DEVNARAYAN MISHRA)
JUDGE

VB*

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MCRC-16044-2026

IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE DEVNARAYAN MISHRA

ON THE 20th OF APRIL, 2026

MISC. CRIMINAL CASE No. 16044 of 2026

PRITESH BILLAIYA

Versus

THE STATE OF MADHYA PRADESH

Appearance:

Smt. Nirmala Nayak - Advocate for the applicant.

Shri Manish Datt - Senior Advocate with Shri Mayank Sharma -

Advocate for the objector.

Shri Pushpendra Choubey - Panel Lawyer for the State.

ORDER

This is the first application filed by the applicant under Section 482 of Bharatiya Nagrik Suraksha Sanhita, 2023 seeking anticipatory bail in connection with FIR/Crime No.309/2026 registered at Police Station-Kotwali, District-Katni (M.P.) for the offence punishable under Sections 108, 62, 54 of BNS and Sections 3, 4 of Debtor's Protection Act.

2. Learned counsel for the applicant has submitted that an agreement to sell the house was executed by the complainant in favour of the applicant for a consideration of Rs10,00,000/-. On 21.07.2025, an amount of Rs.3,51,000/- was paid through an IDBI Bank account and transaction slip is annexed at page no.26 of Annexure A/3 of the bail application. It is further submitted that the applicant came to know that the said property was

the course of investigation or before the trial Court concerned during trial, as the case may be.

9. The applicant is directed to cooperate with the investigating agency and if required by the police, also appear on the date and time directed by the Investigating Officer.

10. It is further directed that the applicant shall abide by all the conditions as enumerated under Section 482(2) of BNSS.

11. Accordingly, the application stands disposed of.

Certified copy as per rules.

(DEVNARAYAN MISHRA)
JUDGE

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IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR

BEFORE

HON'BLE SHRI JUSTICE DEVNARAYAN MISHRA

ON THE 17th OF APRIL, 2026

MISC. CRIMINAL CASE No. 16806 of 2026

SANDEEP KUMAR GUPTA @ DEEPAK GUPTA

Versus

THE STATE OF MADHYA PRADESH

Appearance:

Shri Yogesh Soni - Advocate for the applicant.

Shri Amit Pandey - Panel Lawyer for the respondent/State.

ORDER

This is the first application filed by the applicant under Section 482 of Bharatiya Nagrik Suraksha Sanhita, 2023 seeking anticipatory bail in connection with Crime No.309/2026 registered at Police Station - Kotwali, District Katni (M.P.) for the offence punishable under Sections 108, 62 and 54 of the Bharatiya Nyaya Sanhita, 2023 and under Sections 3 and 4 of the Madhya Pradesh Protection of Debtors Act.

2. Learned counsel for the applicant has submitted that there was a money transaction between the applicant and the victim. The victim has also executed an agreement to sale his car. In that, it was agreed that the applicant shall pay Rs. 8,00,000/-, out of which Rs. 3,00,000/- has already been paid previously and Rs. 5,00,000/- remained to be paid. It was further agreed that upon submission of the NOC from the finance company, the applicant will pay Rs. 5,00,000/-, and thereafter, the vehicle will be transferred in his name.

3. Learned counsel for the applicant has further submitted that the complainant was in the habit of borrow money from different persons. He has also borrowed money from the applicant. It is clear from the FIR and the documents submitted along with the bail application that when the applicant asked him to return his money, he has pretended that he has consumed poison and was admitted in the hospital and lodged the 'FIR. It is also submitted that no lender would intend that the borrower commits suicide and that his money is not recovered. No role of the applicant has been mentioned to show that he abetted the offence and a false case has been registered against him. Hence, the applicant is entitled to be released on anticipatory bail.

4. Learned counsel for the State has submitted that the applicant is a money lender and does not have a valid license, hence, he is not entitled to be released on anticipatory bail at this stage when the investigation is at the preliminary stage.

5. Heard the parties and perused the case diary.

6. Looking to the factual aspects of the case and from the FIR itself, it is clear that the complainant had borrowed money from different persons and was not paying the amount, this Court deems it appropriate to enlarge the applicant on anticipatory bail, therefore, without commenting anything on the merit of the case, the application is allowed.

7. It is directed that in the event of arrest the applicant- Sandeep Kumar Gupta @ Deepak Gupta S/o Shri Nandkishore Gupta shall be enlarged on bail on furnishing a personal bond in a sum of Rs.50,000/-



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(Rupees Fifty Thousand Only) with one solvent surety of the like amount to the satisfaction of the Arresting Officer for his appearance before him during the course of investigation or before the trial Court concerned during trial, as the case may be.

8. Applicant is directed to cooperate with the investigating agency and shall also appear on the date and time, as directed by the Investigating Officer.

9. The applicant shall personally present before the Investigating Officer, if required, he will assist quick disposal of the case and shall not seek any undue adjournments.

10. It is further directed that the applicant shall abide by all the conditions as enumerated under Section 482(2) of BNSS.

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

C.C. as per rules.

(DEVNARAYAN MISHRA)
JUDGE

VB*

Case No

MISC. CRIMINAL CASE (MCRC)

18067/2026 Registered On 17-04-2026

CNR:MPHC010270092026

DA : 17-04-2026

[MCRC-DA-6] [CIS User ID :

164]

Last Listed On

24-04-2026 [HON'BLE SHRI JUSTICE
GURPAL SINGH AHLUWALIA] [CL.NO. :
6]

Lower Court

- District -

Last Order

Case Withdrawn-Ord dt:24/04/2026

Status

Disposed (Disposal Date: 24-04-
2026, Month: 4, Year: 2026, JUD:
115

Disp.Type

Withdrawn

Stage

Motion Hearing
[BAIL APPLICATIONS U/S (482
BNSS)/(438 Cr.P.C.)]
(57. WEEK COMMENCING FRESH
COVID-19)

Bail No.

First Bail

Statutory Info.

[FOR ADMISSION]

Bench

Single Bench

NOT GO BEFORE (By
Advocate)

Category

CRIMINAL LAW & PROCEDURE-12100
THE BHARTIYA NAGARIK
SURAKSHA SANHITA 2023-12107
SECTION 482

Act

1804 - BHARTIYA NAGRIK SURAKSHA
SANHITA (Section - 482)
1803 - BHARTIYA NYAYA SANHITA
(Section - 108/62/54)
1632 - M.P. Riniyon Ka Sanrakshan
Adhiniyam, 1937 (Section - 3/4)

Petitioner(s)

1 VIJAYSHANKAR KANKANE