

IN THE SUPREME COURT OF INDIA  
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. \_\_\_\_\_ of 2025  
(Arising out of SLP(Crl.) No.5565/2025)

KALU @CHETAN

APPELLANT(S)

VERSUS

THE STATE OF MADHYA PRADESH

RESPONDENT(S)

**ORDER**

1. Leave granted.
2. Heard learned counsel for the parties.
3. By way of the present appeal, the appellant has challenged the order impugned passed by the High Court wherein the application of the appellant seeking suspension of sentence/bail was dismissed solely on the ground that Supreme Court of India while dismissing the special leave petition of the appellant had not granted any liberty to the appellant to file a fresh bail/suspension application.
4. There is no prohibition in filing a fresh bail/suspension application after the earlier was rejected or cancelled, if granted. This Court while dismissing the earlier special leave petition of the appellant bearing SLP(Crl.)(D) No.20153/2023 has not taken away the right of the appellant to

apply for bail/suspension afresh, if the circumstances permit.

5. Filing of a fresh bail/suspension application, once an earlier application has been rejected or if granted and thereafter cancelled is a matter of right and solely on the ground that the Apex Court had not permitted filing of the fresh bail/suspension application, the High Court was not justified in dismissing the bail/suspension application.

6. In view of the aforesaid facts and circumstances, the order impugned dated 10.01.2025 passed by the High Court rejecting the bail/suspension application of the appellant is hereby set aside and the matter is remanded to the High Court for decision afresh on merits.

7. The I.A. No. 20137/2024 in Criminal Appeal No.1572/2017 be restored to its original file and number and may be decided afresh on its own merits.

8. The restored application be listed before the roster Bench of the High Court on 25.07.2025 in the morning. The parties represented today before this Court shall be under an obligation to appear before the roster Bench to enable the Bench to fix a date for hearing.

9. The present appeal is disposed of in the above terms.

10. Pending application(s), if any, shall stand disposed of.

.....J.  
[PANKAJ MITHAL]

.....J.  
[PRASANNA B. VARALE]

NEW DELHI;  
JULY 18, 2025.

ITEM NO.7

COURT NO.12

SECTION II-E

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition for Special Leave to Appeal (Crl.) No. 5565/2025

[Arising out of impugned final judgment and order dated 10-01-2025 in CRLA No. 1572/2017 passed by the High Court of Madhya Pradesh at Indore]

KALU @CHETAN

PETITIONER(S)

VERSUS

THE STATE OF MADHYA PRADESH

RESPONDENT(S)

(IA No. 93153/2025 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT and IA No. 93156/2025 - EXEMPTION FROM FILING O.T.)

Date : 18-07-2025 This matter was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE PANKAJ MITHAL  
HON'BLE MR. JUSTICE PRASANNA B. VARALE

For Petitioner(s) Mr. N.K. Mody, Sr. Adv.  
Ms. Ishita M Puranik, Adv.  
Ms. Jigisha Agarwal, Adv.  
Ms. Aniya, Adv.  
Mr. Praveen Swarup, AOR

For Respondent(s) Mr. Abhimanyu Singh (GA), Adv.  
Mr. Pashupathi Nath Razdan, AOR  
Mr. Maitreyee Jagat Joshi, Adv.  
Mr. Astik Gupta, Adv.  
Ms. Akanksha Tomar, Adv.  
Mr. Yaduven, Adv.  
Mr. Raghvendra Shukla, Adv.

UPON hearing the counsel the Court made the following  
O R D E R

1. Leave granted.
2. The present appeal stands disposed of in terms of the signed order which is placed on the file.

**3. Pending application(s), if any, shall stand disposed of.**

**(SNEHA DAS)  
SENIOR PERSONAL ASSISTANT**

**(NIDHI MATHUR)  
COURT MASTER (NSH)**