

Smt. Puspa Sharma vs. State of M.P.

M.Cr.C.No.7702/2015

31/07/2015

Shri Atul Gupta, Advocate for the applicant.

Dr.(Smt.) Anjali Gyanani, Public Prosecutor for the respondent/State.

Shri J.P.Mishra, Advocate for the complainant.

Heard.

Case Diary is perused.

Learned counsel for the rival parties are heard.

Applicant apprehends arrest in connection with offence punishable u/Ss. 306/34 of IPC registered as Crime No.460/2015 at Police Station Jankganj District Gwalior.

Learned Public Prosecutor for the State opposed and prayed for its rejection of this bail application by contending that on the basis of the allegations and the material available on record, no case for grant of anticipatory bail to the applicants.

Applicant apprehends arrest in connection with offence punishable u/Ss. 360/34 of IPC where allegation against the applicant, who is mother of the deceased son who had committed suicide by hanging himself on account of abusive language and taunt extended by the in-laws. It appears that some family dispute persisted between the applicant and her

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son. However looking to overall evidence on record and the fact that the son of the applicant was aged 32 years, live and proximate link between cause and suicide appears to be weak.

The applicant is a woman aged 60 years old, this Court is though inclined to extend the benefit of anticipatory bail to the applicant but with certain stringent condition in view of nature of offence.

Accordingly, without expressing opinion on merits of the case, I deem it appropriate to allow this bail application in the following terms.

It is hereby directed that in the event of arrest, the applicant shall be released on anticipatory bail on furnishing a personal bond of Rs.1,00,000/- (Rupees One Lac only) with two solvent sureties of Rs.50,000/- of the like amount to the satisfaction of Arresting Authority.

This order will remain operative subject to compliance of the following conditions by the applicant :-

1. The applicant will comply with all the terms and conditions of the bond executed by her;
2. The applicant will cooperate in the investigation/trial, as the case may be;
3. The applicant will not indulge herself in extending inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade her from disclosing such facts to the Court or to the Police Officer, as the case may be;

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4. The applicant shall not commit an offence similar to the offence of which she is accused;
5. The applicant will not seek unnecessary adjournments during the trial; and
6. The applicant will not leave India without previous permission of the trial Court/Investigating Officer, as the case may be.
7. The applicant will mark her attendance before the concerned police station once every week till conclusion of the investigation.

A copy of this order be sent to the Court concerned for compliance.

C.c. as per rules.

(Sheel Nagu)
Judge