

HIGH COURT OF MADHYA PRADESH; BENCH AT INDORE

Misc. Criminal Case No.25889 of 2017.

(Shankarsingh s/o Jainu Chouhan v/s State of M.P.)

Indore, Dated : 28.12.2017:-

Shri Ravi Arora, learned counsel for the applicant.

Shri Rajesh Joshi, learned Govt. Advocate for the Non-applicant/State.

Heard with the aid of case-diary.

O R D E R

THIS is **first** bail application under Section 439 of the Code of Criminal Procedure for grant of bail. The applicant is in custody in connection with Crime No.63/2017 registered at Police Station Sorwa, District Alirajpur for the offences punishable under Sections 304-B, 498-A and 34 of IPC.

As per the prosecution story Smt. Shilpa w/o Kaliya aged about 21 years has committed suicide by hanging herself. A complaint was lodged by the father and mother of the deceased. As per the complaint, the marriage between deceased and Kaliya took place two and half years back and after six months of the marriage, her husband and the present applicant, who is uncle of Kaliya, started doubting on character of the deceased and harassed by her by demanding dowry of eight lacs rupees and because of which she has committed suicide. FIR has been lodged against the husband and the present applicant. By order dated 17.11.2017 the learned Sessions Court has rejected the bail application.

Learned counsel for the applicant submits that compromise has been arrived between the husband and wife

on 04.05.2017. The applicant is working as Government Teacher and he has no connection with the offence and he was living separately.

On the other hand, learned Govt. Advocate for the Non-applicant/State opposes the prayer by submitting that all the witnesses have made allegations against him.

I have considered the overall facts and circumstances of the case, I am of the view that the applicant has made out a case for granting bail. Thus, the application is **allowed** and it is directed that the applicant be released on bail upon his furnishing a personal bond in the sum of **Rs.50,000-00** [Fifty Thousand Rupees] with one surety in the like amount to the satisfaction of the Trial Court for his appearance as and when directed.

The applicant is directed to attend each hearing of his trial before the Trial Court out of which this bail arises. Any default in attendance in Court would result in cancellation of the bail granted by this Court.

Certified copy as per rules.

[VIVEK RUSIA]
VAC. JUDGE

(AKS)