

ANNEXURE-C
High Court of Madhya Pradesh, Jabalpur
Bench at Indore, Indore
CONTINUATION ORDER SHEET

Miscellaneous Criminal Case No.26330/2017

(Smt. Harmeet w/o Ravindra Singh Kukreja
Versus
The State of Madhya Pradesh)

Miscellaneous Criminal Case No.26522/2017

(Sunil Vishvakarma s/o Ramesh Chandra
Versus
The State of Madhya Pradesh)

Indore, dated 28.02.2018

Shri Rahul Sharma, learned counsel for applicant Smt. Harmeet w/o Ravindra Singh Kukreja in Miscellaneous Criminal Case No.26330/2017.

Shri Anil Ojha, learned counsel for applicant Sunil Vishvakarma s/o Ramesh Chandra in Miscellaneous Criminal Case No.26522/2017.

Shri R.R. Maheshwari, learned Public Prosecutor for the non-applicant / State of Madhya Pradesh.

They are heard.

Applicants Smt. Harmeet Kukreja and Sunil Vishvakarma have filed first applications under Section 439 of Criminal Procedure Code, 1973 for grant of bail, who are implicated in connection with Crime No.279/2017 registered at Police Station, Madhav Nagar, Ujjain, District Ujjain (MP) for offence punishable under Sections 420, 409 and 201/34 of the Indian Penal Code, 1860; and also under Section 6 of the Madhya Pradesh

Nikshepako Ki Hit Sanrakshan Adhiniyam against applicant Smt. Harmeet Kukreja.

The applicants are in custody since 06.10.2017 and 08.05.2017 respectively.

The case of the prosecution is that at the time of occurrence, co-accused Kamla Bai was the President and applicant Smt. Harmeet Kukreja was Manager of Maa Chatreshwari Sakh Sahakari Sanstha, Ujjain, and applicant Sunil Vishvakarma (son of co-accused Kamlabai) was working as Agent. Allegation against them is that they received money from the victims, but no entry has been made in the documents of the society regarding receipt of the amount.

Learned counsel for the applicants have submitted that after investigation, charge sheet has been filed and no further custodial interrogation from the present applicants is required; and looking to custody period of the present applicants, they pray that both the applications for grant of bail be allowed and they be released on bail.

On the other hand, Shri R.R. Maheshwari, learned Public Prosecutor for the respondent / State of Madhya Pradesh opposed the prayer and prays for its rejection.

On due consideration of the totality of facts and circumstances of the case and looking to the period of

custody of the present applicants, so also the fact that applicant Smt. Harmeet Kukreja was working as Manager of the Cooperative Socoety and allegation against her is of misappropriation of an amount of Rs.4,61,000/- approximately, I am inclined to allow the applications, but without expressing any opinion on the merits of the case.

Accordingly, without expressing any opinion on the merits of the case, Miscellaneous Criminal Case No.26330/2017 and Miscellaneous Criminal Case No.26522/2017 are allowed. It is directed that applicant **Smt. Harmeet w/o Ravindra Singh Kukreja** and **Sunil Vishvakarma s/o Ramesh Chandra** shall be released on bail subject to depositing an amount of **Rs.4,00,000/- (rupees four lakh) cash by applicant Smt. Harmeet Kukreja only** in the trial Court and upon and upon their furnishing a personal bond in the sum of **Rs.50,000/- (Rupees fifty thousand only)** each with two solvent sureties each in the like amount to the satisfaction of the concerned JMFC/CJM for their appearance before him or trial Court on all dates of hearing as may be fixed in this behalf by the Court concerned during trial. It is also directed that the applicants shall abide by all the conditions enumerated under Section 437 (3) of the

Code of Criminal Procedure, 1973.

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

1. The applicants will comply with all the terms and conditions of the bond executed by them;
2. The applicants will cooperate in the investigation / trial, as the case may be;
3. The applicants will not indulge themselves in extending inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him / her from disclosing such facts to the Court or to the Police Officer, as the case may be;
4. The applicants shall not commit an offence similar to the offence of which they are accused;
5. The applicants will not seek unnecessary adjournments during the trial.

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

C. c. as per rules.

**(P.K. Jaiswal)
Judge**

Pithawne RC