

HIGH COURT OF MADHYA PRADESH, BENCH AT INDORE

& M.Cr.C. No.28096 of 2017
(Rahul Khare vs. State of MP) & (Sheikh Amjad vs. State of MP)

Indore, dated : 31.01.2018

Shri Rajnish Yadav, learned counsel for the applicants – Rahul Khare in M.Cr.C. No.28663/2017 and Sheikh Amjad in M.Cr.C. No.28096/2017.

Shri Piyush Shrivastava learned Public Prosecutor for the non-applicant – State.

Heard. Perused the case diary.

M.Cr.C. No.28663/2017 is fourth repeat application and M.Cr.C. No.28096/2017 is third repeat application under Section 439 of Cr.P.C. for grant of bail filed by the applicants – Rahul Khare S/o Bhagwan Khare and Sheikh Amjad S/o Asraf Ali respectively, who are implicated in Crime No.511/2016 registered at Police Station Aerodrome Road, Indore for the offence punishable under Sections 384, 386, 364-A and 365 of the IPC and Section 25 of the Arms Act and they are in custody since 10.07.2016.

2. As per prosecution case, some unknown persons called complainant Kartik on his mobile phone pretending to be the officers of the Municipal Corporation and asked for bribe for not demolishing his illegally constructed house. Thereafter, the complainant reached near Bijasan Mandir, then he was taken in a car by three persons towards Yeshwant Sagar, Indore and they have demanded Rs.30,00,000/-. The complainant called his brother Satyanarayan and his brother anyhow arranged the gold ornaments and has delivered the ornaments to the four unknown persons and then only, they have released the complainant Kartik. Kartik has lodged the report at Police Station Aerodrome Road,

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3. Statement of Kartik (PW-1) has been recorded on 06.07.2017. The statements of Kartik (PW-1), Satyanarayan (PW-2), Lagendra @ Nagendra (PW-3), Kaliram (PW-4), Ashish (PW-5) and Pankaj (PW-6) have been recorded in between 06.07.2017 to 16.11.2017.

4. On 08.08.2017, this Court while considering the repeat bail application of Sheikh Amjad has directed the Trial Court to expedite the trial and endeavour shall be made to conclude it within a period of four months from the date of filing of certified copy of the order.

5. As per record, statement of material prosecution witnesses have been recorded. At the time of earlier application, statement of PW-1 was considered by this Court.

6. Considering the aforesaid and looking to the nature of allegation made against the applicants, at this stage, no case for grant of bail, as prayed is made out. However, learned Trial Court is directed to expedite the trial and endeavour shall be made to conclude it, at the earliest, preferably within a period of four months from the date of filing of certified copy of the order.

7. With the aforesaid liberty, M.Cr.C. No28663/2017 and M.Cr.C. No.28096/2017 are disposed of.

(P. K. Jaiswal)
Judge