

THE HIGH COURT OF MADHYA PRADESH
M.Cr.C.No. 31245/2019
(Karnar Singh Vs. State of M.P.)
(1)

Gwalior, dated : 31/7/2019

Shri Ravi Dwivedi, Advocate for the applicant.

Shri Kuber Boddh, Dy.A.G. for the respondent-State.

Case Diary is perused.

Learned counsel for the rival parties are heard.

This is first application under section 438 of the Code of Criminal Procedure.

Applicant apprehends arrest in connection with Crime No.149/2019 registered at Police Station Gohad Chauraha, District Bhind, for the offence punishable under sections 3/4 of the Dowry Prohibition Act. Applicant is would be father-in-law of the complainant.

Allegations against the applicant, in short, are that he demanded dowry to the tune of Rs.9 lacs and a Motorcycle for solemnization of marriage.

Learned counsel for the applicant submits that applicant has been falsely implicated in the case. Marriage of the complainant with son of the applicant did not take place. He is a permanent resident of Bhitwar, District Gwalior and there is no likelihood of his absconsion or tampering with the prosecution evidence. With

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the aforesaid submissions, prayer for anticipatory bail is made.

In response, learned Dy.A.G. has opposed the bail application and prays for its rejection. He submits that there should be reason to believe that the applicant would be arrested and not just fear of arrest and the applicant is required to show genuineness. Learned counsel has placed reliance on the decision in the case of **Adri Dharan Das Vs. State of West Bengal ((2005)4 SCC 303)** in support of his contention.

Taking into consideration the facts and circumstances of the case, but without expressing any opinion on merits of the case, I deem it appropriate to extend the benefit of anticipatory bail to the applicant.

It is hereby directed that in the event of arrest of applicant namely **Karnar Singh**, he shall be released on bail on his furnishing a personal bond of **Rs.50,000/-(Rupees Fifty Thousand only)** with one solvent surety of the like amount to the satisfaction of Arresting Authority.

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

1. He will comply with all the terms and conditions of the bond executed by him;

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2. He will cooperate in the investigation/trial, as the case may be;
3. He will not indulge 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. He shall not commit an offence similar to the offence of which he is accused;
5. He will not seek unnecessary adjournments during the trial; and
6. He will not leave India without previous permission of the trial Court/Investigating Officer, as the case may be.

C.C. as per rules.

(S.A.Dharmadhikari)
Judge

(and)

