

HIGH COURT OF MADHYA PRADESH :INDORE BENCH

M.Cr.C. No.21183/2020
(Pankaj Gwala Vs. State of M.P.)

Indore dated :31/07/2020

Ms. Rekha Shrivastava, learned counsel for the applicant is present through Video Conferencing.

Shri Gagan Bajad, learned Public Prosecutor for the non-applicant/State is present through Video Conferencing.

Shri Gaurav Panchal, learned counsel for the objector.

Heard on I.A. No.4884/2020 that is an application under Section 301 of Cr.P.C. and I.A. No.4883/2020 for objection.

On due consideration, I.A. No.4884/2020 and I.A. No.4883/2020 are allowed.

Also heard on the question of bail application. Case diary perused.

This is second bail application under Section 439 of Cr.P.C. for grant of bail. The applicant is implicated in connection with Crime No.453/2019 registered at Police Station – Mhow, District – Indore(M.P.) for commission of offence punishable under Section 304B/34 of IPC. The applicant is in custody since 30/11/2019.

His first bail application was dismissed on merit vide order dated 20/03/2020, passed in M.Cr.C. No.11699/2020.

Learned counsel for the applicant submits that the present applicant is innocent and he has been falsely implicated in the alleged offence. She further submitted that the applicant and his family are financially well-off and there was no reason or circumstances for them to have demanded dowry from the deceased. In all the statements that have been recorded by the police, only omnibus allegations about

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demand of dowry have been made without any specific specified time or place. She submits that the allegation against the accused are prima facie false. She further submitted that the investigation is over, challan has been filed and in the light of corona virus pandemic and its aftermath, the chances of the trial resuming quickly are slender. In the light of the aforesaid, she prays for grant of bail.

Learned Public Prosecutor for the non-applicant/State as well as learned counsel for the objector has opposed the prayer and submitted that all those submissions made by the learned counsel for the applicant has been considered by this Court while deciding his first bail application and, therefore, prays for rejection of the bail application.

On due consideration of the aforesaid, I am of the view that the arguments advanced by the learned counsel for the applicant have been considered by this Court while deciding the earlier bail application. The learned counsel for the applicant has failed to point out any change in the circumstances to consider this repeat bail application. Therefore, no case for grant of bail as prayed is made out.

Accordingly, the bail application filed by the applicant stands dismissed.

Certified copy as per rules.

(Ms. Vandana Kasrekar)
Judge

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