

THE HIGH COURT OF MADHYA PRADESH, BENCH AT INDORE

M.Cr.C. No.45115 of 2020
(Dr. Anmol Billore vs. State of MP)

Indore, dated :27.11.2020

Shri S. K. Vyas, learned Senior Counsel with Shri A. Gokhale, learned counsel for the applicant is present in person through Video Conferencing.

Shri Pranay Joshi, learned Public Prosecutor for the non-applicant – State is present in person through Video Conferencing.

Shri Rohit Jain, learned counsel for the objector is present in person through Video Conferencing.

Heard. Perused the case diary.

This is first application under Section 439 of Cr.P.C. for grant of bail. Applicant – Dr. Anmol Billore S/o Rajendra Billore is implicated in Crime No.907/2020 registered at Police Station – Vijay Nagar, District Indore for the offence punishable under Section 354 of IPC and he is in custody since 03.11.2020.

As per prosecution story, on 02.11.2020, prosecutrix filed a written complaint at police station Vijay Nagar, Indore alleging that she had gone to the clinic of the applicant for some dental treatment and the applicant being the Dentist was treating her and during the course of treatment when the applicant's wife and another assistant went out, applicant molested the prosecutrix. The report was consequently lodged.

Learned Senior Counsel for the applicant submits that charge-sheet has since been filed under Section 354 of IPC. During the course of arguments, he has referred to the profession of his own wife who is also a Dentist and the reason which has been assigned for lodging report was that the complainant was not paying amount of Rs.5,000/- as demanded for crown implantation. He further submits

THE HIGH COURT OF MADHYA PRADESH, BENCH AT INDORE

M.Cr.C. No.45115 of 2020
(Dr. Anmol Billore vs. State of MP)

that the offence is triable by the JMFC. He has also filed number of documents and photographs showing that in the clinic of the applicant, number of persons entered and caused ruckus and damaged the property of the clinic and has also assaulted the applicant and his wife.

Learned counsel for the objector was heard who has filed a written objection and has also filed copy of the report lodged before the SDM that complainant is being pressurized for arriving at a compromise at the behest of the applicant and has submitted that amount of Rs.5,000/- was paid online by her in two instalments regarding which receipts have been filed at the time of recording 164 statements by the complainant. He has made vehement submissions opposing the bail application.

Learned Public Prosecutor for the State was also heard.

Considered.

Number of documents have been filed in support by both the rival parties.

In view of the fact that charge-sheet has been filed and the offence is triable by the JMFC, a case is made out for grant of bail. Without commenting upon the merits of the case, this bail application is allowed and it is directed that applicant – **Dr. Anmol Billore** shall be released on bail subject to his furnishing a personal bond in the sum of **Rs.50,000/- (Rupees Fifty thousand only)** with **one local surety** to the satisfaction of the concerned Trial Court/Committal Court for his regular appearance before the Trial Court/Committal 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 applicant shall abide by all the conditions enumerated under Section 437(3) of

THE HIGH COURT OF MADHYA PRADESH, BENCH AT INDORE

M.Cr.C. No.45115 of 2020
(Dr. Anmol Billore vs. State of MP)

the Cr.P.C. It is made very very clear that after being so released, the applicant in no manner shall try to establish a contact with the complainant or the witnesses or try to threaten, pressurize or induce them.

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

M.Cr.C. No.45115/2020 is allowed and stands disposed of
Certified copy as per rules.

(Shailendra Shukla)
Judge

gp

Digitally signed by Geeta Pramod
Date: 2020.11.27 17:42:09 +05'30'