

HIGH COURT OF MADHYA PRADESH, BENCH AT INDORE

M. Cr. C. No.23078/2021

(Vinod S/o Late Shri Chhotelal @ Chironjilal Verma Vs. State of M. P.)

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Indore, dated 31/08/2021

Shri Avinash Sirpurkar, learned Senior Counsel with Shri Bablu Patel, learned counsel for the applicant.

Shri Chetan Jain, learned Panel Lawyer for the respondent / State.

Shri Amit Bhatia, learned counsel for the objector.

With the consent, finally heard.

This is the second application filed by the applicant under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail in connection with Crime No.201/2019 registered at Police Station – Tejaji Nagar, District – Indore for the offences registered under Sections 294, 323, 324, 506 and 326 of the Indian Penal Code. The applicant is in custody since 29/11/2020. Previous application, M.Cr.C. No.53795/2020 was dismissed on 17/03/2021.

Learned Senior Counsel submits that as per the status report sent by XX Additional Sessions Judge, Indore dated 20/07/2021, the matter is pending and till date even charges could not be framed. Conclusion of the trial will take time. Hence, the applicant may be enlarged on bail.

The prayer is opposed by the learned Panel Lawyer for the respondent / State.

This Court has rejected the previous bail application i.e. M.Cr.C.No.53795/2020 on 17/03/2021 by recording that the applicant

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will be in a position to influence the material and witnesses, and therefore, this Court was not inclined to enlarge the applicant on bail.

Apart from time, there is no change in circumstances. I am not inclined to grant bail to the applicant. However, liberty is reserved to the applicant to renew his application after the statement of complainant is recorded by Court below. This Court has no doubt that the Court below will make endeavor to expedite the trial.

With the aforesaid, second bail application under Section 439 of Cr.P.C. is dismissed.

Certified copy as per rules.

(SUJOY PAUL)
J U D G E

Tej

Digitally signed by
TEJPRAKASH VYAS
Date: 2021.08.31
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