

(2021) 03 MP CK 0092

Madhya Pradesh High Court

Case No: Miscellaneous Petition No. 14282 Of 2021

Dahlan Singh And Anr

APPELLANT

Vs

State Of M.P

RESPONDENT

Date of Decision: March 17, 2021

Acts Referred:

Code Of Criminal Procedure, 1973 " Section 439#Indian Penal Code, 1860 " Section 34, 379, 414#Prevention Of Damage To Public Property Act, 1984 " Section 3, 4#Motor Vehicles Act, 1988 " Section 66, 77, 130(3), 177, 192#Mines And Minerals (Development And Regulation) Act, 1957 " Section 53A

Citation: (2021) 03 MP CK 0092

Hon'ble Judges: Rajeev Kumar Dubey, J

Bench: Single Bench

Advocate: Vivek Agrawal, Mukund Chourasiya

Final Decision: Allowed

Judgement

Rajeev Kumar Dubey, J

This is first application filed under section 439 Cr.P.C. Applicants Dahlan Singh and Pinku were arrested on 27.02.2021 in Crime No. 89/2021

registered at Police Station Chand, District Chhindwara for the offence punishable under Section 379, 414, 34 of IPC, Section 3/ 4 of Prevention of

Damage to Public Property Act and Section 66/ 192, 77/ 177, 130(3)/ 177 of Motor Vehicle Act and Section 53-A of M.P. Minor Minerals Act.

Learned counsel for the applicants submits that the applicants are innocent and have falsely been implicated in this case. Even otherwise the alleged

offences are triable by JMFC. Applicants have no criminal past. They have been in custody since 27.02.2021 and the conclusion of trial will take time,

hence prayed for release of the applicants on bail.

Learned counsel for the State opposed the prayer.

Looking to the facts and circumstances of the case and the fact that the alleged offences are triable by JMFC and the applicants have no criminal

past, they are in custody since 27.02.2021 and conclusion of trial will take time, without commenting on the merits of the case, the application is

allowed and it is directed that the applicants Dahlan Singh and Pinku be released on bail upon their furnishing personal bond in the sum of Rs.50,000/-

(Rs. Fifty Thousand Only) each with one surety each in the like amount to the satisfaction of the concerned C.J.M/trial Court for their appearance

before the trial Court on all such dates as may be fixed in this behalf by the trial Court during the pendency of trial.

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

1. The applicants will comply with all the terms and conditions of the bond executed by them;

2. The applicants will cooperate in the trial;

3. The applicants will not indulge themselves in extending inducement, threat or promise to any person acquainted with the fact of the case so as to

dissuade him from disclosing such facts to the Court or to the Police Officer, as the case may be;

4. The applicants shall not commit an offence similar to the offence of which they are accused;

5. The applicants will not seek unnecessary adjournments during the trial; and

6. The applicants will not leave India without prior permission of the trial Court.

C.C. on payment of usual charges.