(1995) 01 MP CK 0024

Madhya Pradesh High Court

Case No: M.Cr.C. No. 6190 of 1994

Rakmanibai and Another		APPELLANT
	Vs	
The State of M.P.		RESPONDENT

Date of Decision: Jan. 27, 1995

Acts Referred:

- Criminal Procedure Code, 1973 (CrPC) - Section 439
- Penal Code, 1860 (IPC) - Section 304B, 306, 498A

Citation: (1995) 2 DMC 632

Hon'ble Judges: Rajeev Gupta, J

Bench: Single Bench

Advocate: S.L. Kochar, for the Appellant; Alka Pandey, Deputy Govt. Advocate, for the Respondent

Final Decision: Allowed

Judgement

Rajiv Gupta, J.

They are heard.

2. This petition so far as it related to petitioner No. 2 Prushottam was kept pending and was to be decided finally after receipt of the case diary. Petitioner Purshottam has been taken into custody on 30.11.1994 by Police Nevra in connection with Crime No. 194/94 for the offences under Sections 498A, 306 and 304B of the I.P.C. Deceased Lachhwantibai who was married in April, 1994, committed suicide on27.11.1994. The allegation against accused-persons are that they subjected Lachhwantibai to cruelty and used to demand dowry. After perusing the dying declaration of Lachhwantibai and the statements of her parents recorded by the police during the course of investigation, it is found that the only allegation against petitioner Purshottam is that he never used to interfere in the dispute between the mother-in-law and the daughter-in-law. There is no material in the case diary to show that petitioner Purshottam subjected Lachhwantibai to cruelty or even

demanded dowry.

3. Taking a cumulative view of the above mentioned facts and circumstances of the case, this petition filed u/s 439, Cr.P.C. is allowed. Petitioner Purshottam shall be released on bail during the pendency of trial on his furnishing personal bond in the sum of Rs. 10,000/- with one surety in the like amount to the satisfaction of C.J.M. Raipur.

C.C. as per rules.