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**IN THE HIGH COURT OF MADHYA PRADESH
AT GWALIOR**

**BEFORE
HON'BLE SMT. JUSTICE SUNITA YADAV
ON THE 22nd OF JANUARY, 2024**

MISC. CRIMINAL CASE No. 2773 of 2024

BETWEEN:-

**RAMESHCHANDRA SHARMA S/O SHRI SHIVCHARAN,
AGED ABOUT 75 YEARS, OCCUPATION:
AGRICULTURIST DAK KHANA ROAD, JAURA TEHSIL
JAURA DISTRICT MORENA M.P. (MADHYA PRADESH)**

.....APPLICANT

(BY MR. PRASHANT SHARMA - ADVOCATE)

AND

**THE STATE OF MADHYA PRADESH INCHARGE POLICE
STATION THROUGH POLICE STATION JAURA DISTRICT
MOERENA (M.P.) (MADHYA PRADESH)**

.....RESPONDENT

(BY MR. ROHIT MISHRA - A.A.G.)

.....
*This application coming on for admission this day, the court passed the
following:*

ORDER

This is the first application filed by the applicant under Section 438 of the Cr.P.C. for grant of anticipatory bail relating to FIR No.06 of 2024 registered at Police Station Jaura, District Morena (M.P.) for the offence under Sections 420, 467, 468, 471 of IPC.

Learned counsel for the applicant argued that applicant is innocent and has been falsely implicated. This is a case of civil nature and the prosecution is trying to give it the colour of criminal case. It is further argued that applicant - accused has not signed the alleged agreement to sell. Even if the case of the

prosecution is accepted, ingredients of Sections 467, 468 and 471 of IPC do not attract and at the most offence under Section 420 of IPC is made out. Further argument is that in the revenue Court, the proceedings are pending, however, present applicant - accused has not been arrayed as party in that revenue case and in the agreement to sell, no financial transaction has been done. Further argument is that applicant is ready and willing to abide by all the terms and conditions which may be imposed by this Court while granting anticipatory bail. Applicant is the permanent resident of District Morena (M.P.) having no criminal history and there is no possibility of his absconsion or tampering with the prosecution evidence. Hence, prayed to allow the anticipatory bail application of the applicant.

Per contra, learned counsel for the State vehemently opposed the bail application and prayed for its dismissal.

Heard learned counsel for the rival parties and perused the case diary available on record.

In view of the facts and circumstances of the case, but without expressing any opinion on merits of the case, this application is allowed and it is directed that in the event of arrest, the applicant shall be released on bail on his executing a personal bond in the sum of **Rs.1,00,000/-(Rupees One Lakh Only)** with one solvent surety in the like amount to the satisfaction of the Arresting Officer/Investigating Authority.

The applicant shall further abide by other conditions enumerated under Section 438 (2) of the Code of Criminal Procedure and shall cooperate in the investigation otherwise this bail order shall automatically stand cancelled.

Certified copy as per rules.

(SUNITA YADAV)
JUDGE

AKS

