

1
**IN THE HIGH COURT OF MADHYA PRADESH
AT GWALIOR**

**BEFORE
HON'BLE SMT. JUSTICE SUNITA YADAV
ON THE 10th OF JANUARY, 2024**

MISC. CRIMINAL CASE No. 56773 of 2023

BETWEEN:-

**CHARAN SINGH@FOJI S/O SHRI BACCHU SINGH, AGED
ABOUT 37 YEARS, R/O DAUDPUR THANA FATEHPUR
SIKARI DISTRICT AGRA (UTTAR PRADESH)**

.....APPLICANT

(BY MR. ABHISHEK PARASHAR - ADVOCATE)

AND

**THE STATE OF MADHYA PRADESH THROUGH POLICE
STATION STATION ROAD DISTRICT MORENA
(MADHYA PRADESH)**

.....RESPONDENT/STATE

(BY MR. PRABHAT PATERIYA - DY. PUBLIC PROSECUTOR)

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

ORDER

This is the forth application filed by the applicant under Section 439 of the Cr.P.C. for grant of bail relating to FIR No. 236 of 2018 registered at Police Station Station Road, District Morena (M.P.) for the offence under Sections 364-A of IPC and section 11,13 of MPDVPK Act.

Learned counsel for the applicant argued that applicant is an innocent person and has been falsely implicated. Co-accused Dharmveer Singh Rana was granted bail in M.Cr.C. No. 50952 of 2023 vide order dated 20.11.2023 and thereafter in changed circumstances, present bail application has been filed. It is further argued that co-accused - Dharmendra Jat has also been granted bail in

M.Cr.C. No.6596 of 2019 vide order dated 15.02.2019. The case is at parity with co-accused - Dharmveer Singh Rana. Further submission is that the applicant is in custody since 25/08/2022. The applicant is permanent resident of District Agra. Conclusion of trial is likely to take time and there is no likelihood of his absconsion, if released on bail. On these grounds, he prays for grant of bail to the applicant.

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

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

Considering 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 the applicant be released on bail on furnishing a personal bond in the sum of **Rs. 1,00,000/- (Rupees One Lakh Only) with two local solvent sureties** in the like amount to the satisfaction of the trial Court.

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

- 1) The applicant will comply with all the terms and conditions of the bond executed by him;
- 2) The applicant will cooperate in the investigation/trial, as the case may be;
- 3) The applicant will not indulge himself in extending inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to the Police Officer, as the case may be;
- 4) The applicant will not commit any other offence or will not repeat the offence in future. In case, if he/she is found involving in the offence of the same nature, this bail

order shall stand cancelled automatically without further reference to the Bench.

5) The applicant will not seek unnecessary adjournments during the trial; and

6) The applicant will not leave India without previous permission of the trial Court/Investigating Officer, as the case may be.

(7) The applicant shall mark his attendance before the SHO of the concerning police station in the first week of every month till conclusion of trial.

Learned State counsel is directed to send an e-copy of this order to the Station House Officer of the concerned Police Station for information and necessary action.

E- copy of this order be sent to the trial Court concerned for compliance, if possible, by the office of this Court.

Certified copy as per rules.

(LJ*)

**(SUNITA YADAV)
JUDGE**