IN THE HIGH COURT OF MADHYA PRADESH AT INDORE

BEFORE

HON'BLE SHRI JUSTICE ANIL VERMA

ON THE 2nd OF FEBRUARY, 2024

MISC. CRIMINAL CASE No. 4291 of 2024

BETWEEN:-

MANI@ MUKUND SEHGAL S/O ANIL SEHGAL, AGED ABOUT 19 YEARS, OCCUPATION: STUDENT 105, MAHAVAR NAGAR, DISTRICT INDORE (MADHYA PRADESH)

.....APPLICANT

(BY SHRI GOVIND PUROHIT - ADVOCATE)

AND

THE STATE OF MADHYA PRADESH STATION HOUSE OFFICER THROUGH P.S. ANNAPURNA, DISTRICT INDORE (MADHYA PRADESH)

.....RESPONDENT

(SMT. VARSHA SINGH THAKUR - GOVT. ADVOCATE FOR STATE; AND SHRI VIJAY SHARMA - ADVOCATE FOR OBJECTOR)

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

ORDER

This is the second application filed by the applicant under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail relating to Crime No.518/2023 registered at Police Station Annapurna, District Indore (M.P.) for the offence under Sections 294, 323, 307, 506 and 34 of the Indian Penal Code, 1860. The applicant is in custody since 19/12/2023.

2. As per prosecution story, on 13/10/2023 complainant Mayank and his two firends Ayush and Hemraj were standing in front of his house, at about 09:30 pm applicant and his three friends arrivedat the place of incident. The

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complainant called his friend Lavish, but due to some misunderstanding there arose a scuffle between the parties and injuries were inflicted to both the parties including the applicant. Accordingly, offence has been registered.

3. Learned counsel for the applicant submits that the applicant is an innocent person and he has been falsely implicated in this offence. He is in custody since 19/12/2023. His earlier bail application was dismissed as withdrawn. Victim Mayank did not sustain any bony or fatal injury in the incident, which may be dangerous to life. Investigation is over and charge sheet has been filed. Applicant is student of Class 12th and is having examinations. Matter has been amicably settled between the applicant and the victim person. He is permanent resident of Indore district and final conclusion of the trial is likely to take sufficient long time. Under the above circumstances, prayer for grant of bail may be considered on such terms and conditions, as this Court deems fit and proper.

4. Per contra, learned counsel for the respondent / State opposes the bail application and prays for its rejection.

5. Counsel for the objector / victim submits that victim has no objection if the applicant is enlarged on bail.

6. Perused the impugned order of the trial Court as well as the case diary.

7. After considering all the facts and circumstances of the case, nature and gravity of offence, arguments advanced by the learned counsel for the applicant and also taking note of the fact that investigation is over and charge sheet has been filed, therefore, no further custodial interrogation of the applicant is required; victim did not sustain any bony or fatal injury and he has been discharged from hospital; he himself pleaded no objection in respect of bail to

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the present applicant; applicant is a student of 12th class and his examination are going to take place in near future and final conclusion of the trial will take sufficient long time. In these circumstances, I deem it proper to release the applicant on bail. Therefore, without commenting on the merits of the case, the application is allowed.

8. It is directed that applicant be released on bail on his furnishing personal bond in the sum of Rs.75,000/- (Rupees Seventy Five Thousand Only) with one solvent surety in the like amount to the satisfaction of the trial Court for his appearance before the trial Court, as and when required. He shall abide by all the conditions enumerated under Section 437(3) Cr.P.C.

Certified copy as per rules.

(ANIL VERMA)
JUDGE

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