

(2022) 09 MP CK 0012
In the Madhya Pradesh High Court
Case No : Criminal Appeal No. 6321 Of 2022

Ajay Khan @ Ajju

APPELLANT

Vs

State Of Madhya Pradesh And Others

RESPONDENT

Date of Decision : 05-09-2022

Acts Referred:

Scheduled Caste And Scheduled Tribe (Prevention Of Atrocities) Act, 1989 — Section 3(1)(w)(II), 14A(2), 15A
Indian Penal Code, 1860 — Section 363, 376
Protection Of Children From Sexual Offences Act, 2012 — Section 3, 4

Citation : (2022) 09 MP CK 0012

Hon'ble Judges : Gurpal Singh Ahluwalia, J

Bench : Single Bench

Advocate : R.K. Bhardwaj, C.P. Singh

Final Decision : Dismissed

Judgement

Gurpal Singh Ahluwalia, J

It is submitted by the counsel for the State that the complainant has been informed about the pendency of this appeal as required under Section 15-A of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act (in short 'Act').

Case diary is available.

This fourth criminal appeal has been filed under Section 14-A (2) of the Act against the order dated 10.12.2021 passed by 15th Additional Sessions Judge, Gwalior, rejecting the bail application. The third criminal appeal was dismissed with peremptory order dated 13.6.2022 passed in CRA No.4316/2022.

The appellant has been arrested on 22.9.2020 in connection with Crime No.595/2020 registered by Police Station Bahodapur, District Bhind for offence punishable under Sections 363, 376 of IPC, under Section 3/4 of the POCSO Act and under Section 3(1)(w)(II) of the Act.

It is fairly conceded by the counsel for the appellant that the prosecutrix has been examined.

Although the copy of deposition sheet has not been filed but since the counsel for the appellant was in possession of the same, therefore, at the request of the Court, the same was provided from which it is clear that the prosecutrix has supported the prosecution case.

According to the prosecution case, the prosecutrix is minor below the age of 16 years. Accordingly, no case is made out for grant of bail.

The appeal fails and is hereby dismissed.