

(2024) 05 MP CK 0004

In the Madhya Pradesh High Court

Case No : Criminal Appeal No. 5368 Of 2024

?Deependra Singh Parmar

APPELLANT

Vs

State Of Madhya Pradesh And Others

RESPONDENT

Date of Decision : 01-05-2024

Acts Referred:

Scheduled Caste And Scheduled Tribe (Prevention Of Atrocities) Act, 1989 — Section 3(2)(v), 14A(3)
Indian Penal Code, 1860 — Section 394

Citation : (2024) 05 MP CK 0004

Hon'ble Judges : Sunita Yadav, J

Bench : Single Bench

Advocate : Naval Kishor Gupta, Pps Vazeeta, Vikas Gupta

Final Decision : Allowed

Judgement

Sunita Yadav, J

This is first criminal appeal filed by the appellant under Section 14-A (2) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act assailing the order dated 05.04.2024 passed by Special Judge, SC/ST Act, Datia (M.P.) in Bail Application No.280 of 2024, whereby regular bail application of the appellant relating to FIR No. 70 of 2024 registered at Police

Station Jigna, District Datia (M.P.) for the offence under Sections 394 of IPC and Section 3(2)(v) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act has been rejected.

Learned counsel for the appellant argued that the appellant is innocent and has falsely been implicated in this case. Appellant is in custody since 3/4/2024. It is further submitted that material investigation has already been completed along with seizure of money and other articles. That apart, the injury caused to injured/complainant is simple in nature. Co-accused Vikram Singh has already been granted bail by this Court vide order dated 26/04/2024 passed in Cr.A.

No.5185/2024 and the case of present appellant is at parity with co-accused Vikram Singh. The appellant is permanent resident of District Datia (M.P.) and there is no possibility of his absconsion or tampering with the prosecution evidence. Hence, he prays for grant of bail to the appellant.

On the other hand, learned State counsel has opposed the appeal and prayed for its dismissal with submission that appellant has criminal history.

Considering the facts and circumstances of the case, without commenting upon the merits of the case, this appeal stands allowed and it is directed that the appellant be released on bail on furnishing a personal bond in the sum of Rs.100,000/- (Rs. One Lakh only) with one solvent surety in the like amount to the satisfaction of the concerned trial Court/Committal Court.

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

1. The appellant will comply with all the terms and conditions of the bond executed by him;
2. The appellant will cooperate in the investigation/trial, as the case may be;
- 3 . The appellant 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 appellant shall not commit an offence similar to the offence of which he is accused;
5. The appellant will not seek unnecessary adjournments during the trial;
- 6 . The appellant will not leave India without previous permission of the trial Court/Investigating Officer, as the case may be.

A copy of this order be sent to the Court concerned for compliance.

C.C. as per rules.