
(2022) 09 MP CK 0005

In the Madhya Pradesh High Court

Case No : Miscellaneous Criminal Case No. 38530 Of 2022

Malti Dubey

APPELLANT

Vs

State Of Madhya Pradesh

RESPONDENT

Date of Decision : 03-09-2022

Acts Referred:

Indian Penal Code, 1860 — Section 34, 354, 370(A), 372, 373, 376, 376(2)(N), 506
Protection Of Children From Sexual Offences Act, 2012 — Section 3, 4, 5, 6, 16, 17

Citation : (2022) 09 MP CK 0005

Hon'ble Judges : Gurpal Singh Ahluwalia, J

Bench : Single Bench

Advocate : Shivam Savita, Pramod Pachauri

Final Decision : Dismissed

Judgement

Gurpal Singh Ahluwalia, J

This fifth application under Section 439 of Cr.P.C. has been filed for grant of bail. The fourth application was dismissed by order dated 4.4.2022 passed in M.Cr.C.No.14289/2022.

The applicant has been arrested on 15.8.2020 in connection with Crime No.197/2019 registered at Police Station Mahila Thana Padav, District Gwalior for offence under Sections 376, 376(2)(N), 370(A), 372, 373, 506, 354 and 34 of IPC and under Sections 3, 4, 5, 6, 16 and 17 of the POCSO Act.

It is submitted by the counsel for the applicant that the prosecutrix who is the daughter of the applicant is not turning up for giving her evidence. The complete order sheets of the Trial Court have not been filed.

Accordingly, the application is dismissed with liberty to revive the prayer along with the complete order sheets of the Trial Court.