
(2020) 12 MP CK 0074

In the Madhya Pradesh High Court

Case No : Miscellaneous Criminal Case No. 4714, 46780 Of 2020

Pawan Kumar Lodhi And Others

APPELLANT

Vs

State Of MP

RESPONDENT

Date of Decision : 09-12-2020

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 439

Indian Penal Code, 1860 — Section 34, 294, 307, 323, 325

Citation : (2020) 12 MP CK 0074

Hon'ble Judges : Mohd. Fahim Anwar, J

Bench : Single Bench

Advocate : Arun Jain, Yashovardhan Shukla, Guljar Rajput

Final Decision : Dismissed

Judgement

Mohd. Fahim Anwar, J

These are the first bail applications of the applicants under Section 439 of Cr.P.C in connection with Crime No.98/2020 registered at Police Station

Deori, Raisen for the offence under Sections 294, 323/34, 325 and 307 of IPC.

As per the prosecution story, in the village Pipariyakala under the jurisdiction of police station, Deori some fault has taken place in DP, which is

situated at Lodhi Mohalla. So, the complainant party has taken the connection from the DP situated in the area of the applicants. It is alleged that

applicants and other co-accused persons removed the wire of the connection. On complaining the matter by the complainant Sandeep Sharma and

Rajkumar Sharma, the applicants have used filthy language against them and the applicants and other co-accused persons have attacked Sandeep

Sharma, Rajkumar Sharma, Shankarlal Sharma, Kanchhedi and Rakesh Sharma and they have sustained severe injuries and injuries of Rakesh

Sharma is said to be grave in nature and dangerous to life. On the report of the complainant, the above said crime has been registered against the applicants and other co-accused persons.

Learned counsel for the applicants has submitted that the applicants are innocent persons and they have been falsely implicated in the crime. It is

submitted that the applicants are ready to furnish bail as per the order and abide with all conditions as may be imposed by the Court. It is also

submitted that the applicants have also lodged a report against the complainant party and on that basis a counter case at Crime No.97/2020 under

Section 294, 325, and 323/34 has been registered against the complainant party. He further submits that the applicants are in judicial custody since

12.10.2020 and the trial will take long time for its final disposal. On these grounds, learned counsel for the applicants prays for grant of bail to the applicant.

Per-contra, learned counsel for the respondent-State and the learned counsel for the objector have opposed the bail application.

Considering the facts and circumstances of the case and particularly the injuries sustained by Shankarlal, Rakesh, Kanchedi and Sandeep Sharma, I

am of the view that at this stage, it is not a fit case to enlarge the applicants on bail. Hence, the bail applications of the applicants are dismissed.

In view of the aforesaid, the pending IAs are also disposed of.