
(2020) 01 MP CK 0073

In the Madhya Pradesh High Court

Case No : Miscellaneous Criminal Case No. 54719 Of 2019

Sanmpati Kevat

APPELLANT

Vs

State Of Madhya Pradesh

RESPONDENT

Date of Decision : 20-01-2020

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 439
Indian Penal Code, 1860 — Section 34, 304B

Citation : (2020) 01 MP CK 0073

Hon'ble Judges : G.S. Ahluwalia, J

Bench : Single Bench

Advocate : B.S. Dhakad, R.K. Upadhyaya

Final Decision : Allowed

Judgement

Heard on I.A.No.480/2020. This is an application for correction in the cause title.

It is mentioned in the application that by mistake Police Station "Gwalior" has been mentioned in place of "Morena" and accordingly, it is prayed that the applicant may be permitted to correct the aforesaid.

For the reasons mentioned in the application, I.A.No.480/2020 is allowed. Necessary amendment is carried out by the counsel for the applicant after taking due permission from the Court.

The is the first bail application filed under Section 439 of Cr.P.C. for grant of bail.

The applicant has been arrested on 29.11.2019 in connection with Crime No.183/2019 registered by Police Station Sabalgarh, District Morena for offence punishable under Sections 304-B and 34 of IPC.

It is submitted by the counsel for the applicant that the applicant is mother-in-law of the deceased Machhla. According to the prosecution case, the deceased Machhla was married to the son of the applicant about 6 years back. A demand of Rs.50,000/- and a motorcycle was being made, as a result of which, she

committed suicide. It is submitted that no particular date of marriage has come on record, however even if the statement of the witness is accepted then it is clear that the marriage was performed prior to 6 years of date of death. Earlier no allegation was made of demand of dowry and harassment. The trial is likely to take sufficiently long time. Co-accused Kedar Kevat who is the father-in-law of the deceased has been granted the bail. The case of the applicant is identical to that of co-accused Kedar Kevat. There is no possibility of his absconding or tampering with the prosecution case.

Per contra, the application is opposed by the Public Prosecution for the State.

Considering the facts and circumstances of the case, without commenting on the merits of the case, the application is allowed. It is directed that the applicant be released on bail on furnishing a personal bond in the sum of Rs.1,00,000/- (Rs. One Lakh Only) with one surety in the like amount to the satisfaction of the Trial Court/Committal Court to appear before the Court on the dates given by the concerned Court.

This order shall remain effective till the end of the trial but in case of bail jump, it shall become ineffective.