

(2021) 06 MP CK 0011
In the Madhya Pradesh High Court
Case No : Criminal Appeal No. 2520 Of 2021

Shubham Sharma

APPELLANT

Vs

State Of Madhya Pradesh And Others

RESPONDENT

Date of Decision : 03-06-2021

Acts Referred:

Scheduled Caste And Scheduled Tribe (Prevention Of Atrocities) Act, 1989 — Section 3(2)(v)A, 14A(1)
Indian Penal Code, 1860 — Section 120B, 419, 420, 467, 468, 471
Code Of Criminal Procedure, 1973 — Section 439

Citation : (2021) 06 MP CK 0011

Hon'ble Judges : B. K. Shrivastava, J

Bench : Single Bench

Advocate : Basant Raj Pandey, Santosh Yadav

Final Decision : Dismissed

Judgement

B. K. Shrivastava, J

Heard on the appeal filed on 06.04.2021 under Section 14-A (1) of SC/ST Act on behalf of appellant-Shubham Sharma, who was arrested on

25.03.2021 in connection with the Crime No.340/2020 registered at Police Station Orchha, District Tikamgarh under Section 420, 467, 468, 471, 419,

120-B of the I.P.C., Section 3(2)(v)-A of SC/ST (Prevention of Atrocities) Act.

This appeal has been preferred against the order dated 03.04.2021 passed by the Special Judge SC/ST Act, Tikamgarh, by which the trial Court

dismissed the application filed by the appellant under Section 439 of Cr.P.C.

It is submitted by the State that the complainant has been served. No one is appeared on behalf of the complainant.

It is submitted by the appellant's counsel that the appellant is a boy aged about

24 years, having no any criminal background. Recently his mother has been expired because of Covid-19, therefore, he should be enlarged on bail.

On the other side, the State strongly opposed the appeal.

It appears from the case diary and the record that the appellant played the main role in this crime. Hariram Prajapati was the land owner. The

appellant prepared forged documents and upon the basis of forged documents the land was sold out to Devendra Yadav and Maniram Yadav by

presenting a forged person in the name of Hariram and his son Parshuram. The forged I.D. of Parshuram was also prepared. The transaction of

Rs.48 Lakh was promised out of that amount Rs.16 Lakh was paid by the purchaser. Therefore, looking to the role played by the appellant and in

view of this Court, he is not entitled to get the bail.

Hence, the appeal is dismissed.