

(2021) 05 MP CK 0098

In the Madhya Pradesh High Court

Case No : Miscellaneous Criminal Case No.24537 Of 2021

Surjeet Singh Nagotra

APPELLANT

Vs

State Of Madhya Pradesh

RESPONDENT

Date of Decision : 20-05-2021

Acts Referred:

Code Of Criminal Procedure, 1973 — Section 437(3), 439

Indian Penal Code, 1860 — Section 120B, 420, 467, 468, 471

Citation : (2021) 05 MP CK 0098

Hon'ble Judges : Sanjay Dwivedi, J

Bench : Single Bench

Advocate : Mohd. Ali, Lalji Kushwaha, S.K. Shrivastava

Final Decision : Allowed

Judgement

Sanjay Dwivedi, J

This first bail application under Section 439 of the Code of Criminal Procedure has been filed by the applicant for grant of bail in connection with

Crime No.417/2020 registered at Police Station- Police Ratibad, Bhadbhada Road, District Bhopal (M.P.), for the offence punishable under Sections

420, 467, 468, 471 and 120-B of the IPC.

Learned counsel for the applicant submits that the applicant is under arrest since 14.04.2021. He further submits that the present applicant has gifted

the property through a gift deed to various persons and according he acquired the said property from Rohit Parashar. He submits that the State

Government has made an allegation that the property land which has been transferred by the present applicant basically belongs to the State

Government and transaction made by the applicant transferring the title of land is nothing but the fraud played by him. Counsel for the present applicant

submits the other co-accused person namely Raju who is also facing similar allegation has been granted bail by this Court in M.Cr.C.No.11868/2021.

On the other hand, Shri Shrivastava, appearing for the respondent/State opposes the bail application.

Considering the aforesaid, without commenting anything on the merits and to maintain parity, I am inclined to consider and allow this bail application.

Accordingly, the same is hereby allowed.

It is directed that the applicant be released on bail upon his furnishing a personal bond in the sum of Rs.50,000/- (Rupees Fifty Thousand) with one

solvent surety of the like amount to the satisfaction of the Court concerned for his appearance on the dates given by it.

It is further directed that the applicant shall abide by the conditions enumerated in Section 437(3) of the Code of Criminal Procedure.

The jail authority is also directed to ensure that the applicant is examined by the jail doctor to ascertain that he is not afflicted with the COVID-19

virus. If the doctor suspects otherwise, the applicant shall be referred to the appropriate hospital for further management as per the protocol laid down

by the State. In the event the jail doctor is of the opinion that the applicant can be released, then he shall be released.

Certified Copy as per rules.