

The High Court of Madhya Pradesh

Merc.18603.2021

(Vishnu Kumar Gupta Vs. State of M.P.)

Gwalior dated 22.04.2021

Shri S.S. Kushwah, learned counsel for the petitioner.

Shri B.S. Gour, learned Panel Lawyer for respondent/State.

Case diary is not available and therefore, this case is decided based on the order of lower Court.

Learned counsel for the rival parties are heard through video conferencing.

This is 1st application u/S.438 Cr.P.C. for grant of anticipatory bail by the petitioner.

Petitioner apprehends arrest in connection with offence punishable u/Ss.498A, 323, 34 of IPC and 3/4 of Dowry Prohibition Act registered as Crime No.32/2020 at Police Station City Kotwali District Bhind (M.P.).

Learned counsel for the State opposed the application and prayed for its rejection by contending that on the basis of the allegations and the material available on record, no case for grant of anticipatory bail is made out.

Petitioner who is the husband is alleged with dowry demand related cruelty. Marriage took place sometime in 2013 and arrest in matters of this nature may diminish the possibility of settlement in future.

In view of above, this Court is inclined to extend benefit of anticipatory bail to the petitioner.

Accordingly, without expressing any opinion on merits of the case, I deem fit appropriate to allow this application u/S. 438 of Cr.P.C. in the following terms.

It is hereby directed that in the event of arrest, the petitioner shall be released on bail on furnishing a personal bond in the sum of **Rs. 25,000/- (Rs. Twenty Five Thousand only) with one solvent surety of the like amount** to the satisfaction of the Arresting Authority.

This order will remain operative subject to compliance of the following conditions :-

1. The petitioner will comply with all the terms and conditions of the bond executed by him;
2. The petitioner will cooperate in the investigation/trial, as the case may be;
3. The petitioner will not indulge himself in extending inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to the Police Officer, as the case may be;
4. The petitioner shall not commit an offence similar to the offence of which he is accused;
5. The petitioner will not seek unnecessary adjournments during the trial;
6. The petitioner will not leave India without previous permission of the trial Court/Investigating Officer, as the case may be.

A copy of this order be sent to the Court concerned for information.

C.c as per rules.

(Sheel Nagu)
Judge