

1
THE HIGH COURT OF MADHYA PRADESH
CRA No. 583/2022
(RAMKUMAR YADAV Vs THE STATE OF MADHYA PRADESH AND
ANOTHER)

Gwalior, Dated : 24/01/2022

Shri Karan Virwani, Counsel for appellant.

Shri C.P. Singh, Counsel for State.

Shri Rahul Bansal, Counsel for Complainant.

Case Diary is available.

This appeal has been filed under Section 14-A(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 being aggrieved by the order dated 06.12.2021 passed by Special Judge, the Scheduled Castes and the Scheduled Tribes. (Prevention of Atrocities) Act rejecting the anticipatory bail application.

The appellant apprehends his arrest in Crime No.244/2021 registered by Police Station – Dinara, District Shivpuri for offence punishable under Sections 307, 341, 294, 506, 427 and 34 of IPC and Section 3 (1) D & Dh & 3 (2)(5) of the Scheduled Tribes. (Prevention of Atrocities) Act and Section 25/27 of Arms Act.

It is submitted by Counsel for appellant that appellant has been falsely implicated on account of previous enmity. In the year 2014, father of the complainant had committed an offence under Section 307 of IPC and in connivance with the Police authority, the complainant party had succeeded in getting a closure report filed. However, on the complaint of the father of the appellant, the offence

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under Section 307 of IPC was registered in which the charges were framed on 05.02.2021. It is submitted that the allegation that a gunshot was fired in the abdominal region of victim Raju, is false. The trial is likely to take sufficiently long time and there is no possibility of his absconding or tampering with prosecution case.

The appeal is opposed by the Counsel for the State. It is submitted that Raju had sustained a gunshot injury in abdominal region which is a vital part of body because if an internal organ is damaged, it may result in death.

Considering the allegations coupled with the fact that enmity is a double edged weapon, no case is made....

At this stage, Counsel for appellant seek permission of this Court to withdraw this appeal.

Accordingly, the appeal is **dismissed as withdrawn.**

(G.S. Ahluwalia)
Judge

Aman