

**IN THE HIGH COURT OF MADHYA PRADESH**

**AT GWALIOR**

**BEFORE**

**HON'BLE SHRI JUSTICE ANAND PATHAK**

**ON THE 2<sup>nd</sup> OF DECEMBER, 2022**

**MISC. CRIMINAL CASE No. 56571 of 2022**

**Between:-**

**KARTAR @ SONU YADAV S/O LATE SHRI  
BALKISHAN YADAV, AGED ABOUT 38 YEARS,  
OCCUPATION: PRIVATE WORK R/O  
CHARSAHAR KA NAKA, GWALIOR (MADHYA  
PRADESH)**

**.....APPLICANT**

**(BY SHRI MAYANK PATHAK - ADVOCATE)**

**AND**

**STATE OF MADHYA PRADESH,  
THROUGH POLICE STATION PURANI  
CHHAWANI DISTRICT GWALIOR (MADHYA  
PRADESH)**

**.....RESPONDENT**

**(BY SHRI BPS CHAUHAN - PUBLIC PROSECUTOR AND SHRI  
VIRENDRA PAL AND SHRI VIVEK KUSHWAH – ADVOCATE  
FOR THE COMPLAINANT)**

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This application coming on for admission this day, the court passed the following:

**ORDER**

The applicant has filed this second bail application u/S.439 Cr.P.C for grant of bail. Applicant has been arrested on 14-10-2022 by Police Station Purani Chhawani, District Gwalior in connection with Crime No.254/2022

registered for offence punishable under Sections 308, 34 of IPC.

It is the submission of learned counsel for the applicant that false case has been registered against him and he is suffering confinement since 14-10-2022. Complainant is father-in-law of the applicant and as per the allegation he opened fire in air in his in-laws house and matter arises out of domestic dispute. He shared nuptial bliss with his wife for 15 years and they are blessed with two children. Now after long period of time, some domestic dispute raised in relationship and therefore, this case has been registered as a matter of false implication. Although he bears criminal record of 13 cases but they were at the time of marriage and after marriage he became better citizen by not involving in criminal activities and his course correction is apparent from his unblemished record. Confinement amounts to pretrial detention. He further undertakes to cooperate in trial and appear before the trial Court as and when required. He further undertakes not to be source of embarrassment and harassment to the complainant party in any manner and would not move in the vicinity of complainant party. Thus, prayed for bail.

Counsel for the State opposed the prayer and prayed for dismissal of the bail application.

Heard learned counsel for the parties at length and considered the arguments advanced by them.

Considering the arguments advanced by learned counsel for the parties but without commenting on the merits of the case, this Court intends to allow this application. It is hereby directed that the applicant shall be released on bail, on his furnishing personal bond of **Rs.50,000/- (Rupees Fifty Thousand only)** alongwith one **solvent surety** of the like amount to the satisfaction of trial Court.

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

1. The applicant will comply with all the terms and conditions of the bond executed by him;

2. The applicant will cooperate in the investigation/trial, as the case may be;

3. The applicant will not indulge himself in extending inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to the Police Officer, as the case may be;

4. The applicant shall not commit an offence similar to the offence of which he is accused;

5. The applicant will not be a source of embarrassment or harassment to the complainant party in any manner and applicant will not seek unnecessary adjournments during the trial;

6. The applicant will not leave India without previous permission of the trial Court/Investigating Officer, as the case may be;

**7. Applicant shall not move in the vicinity of complainant and shall not be source of embarrassment and harassment to the complainant party in any manner.**

Application stands allowed and disposed of.

**Copy** of this order be sent to the trial Court concerned for information and necessary compliance.

**Certified copy as per rules.**

**(Anand Pathak)**  
**Judge**