

# **HIGH COURT OF MADHYA PRADESH**

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MCRC No.32808/20

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*(Aarti Varma Vs. State of M.P.)*

**Indore, Dated : 16.10.2020**

Shri S.K. Mehra, learned counsel for the applicant.

Shri Bhaskar Agrawal, learned counsel for the State.

Heard on the question of grant of bail through video conferencing.

This is the **second application** made by the applicant under Section 439 Cr.P.C. for grant of bail during trial. Earlier bail application being M.Cr.C. No.28311/2020 was dismissed as withdrawn by order dated 19.8.2020 with liberty to renew the prayer after the investigation is complete and challan is filed.

Notice of this application was served on the State counsel. Case diary as per the direction of this Court has been produced and it has been perused.

The applicant is facing trial for offence punishable under Section 420, 34 of the IPC registered with Police Station Kasrawad, District Khargone, in Crime No.63/2020.

Learned counsel appearing for the applicant submits that the allegation against the present applicant is in respect of committing fraud relating to marriage. He further submits that the offence is triable by the Magistrate and that the applicant is in custody since 15.7.2020. He also submits that earlier bail application was dismissed as withdrawn with liberty to renew the prayer after investigation is complete and Challan is filed and that now the investigation is complete and Challan has been filed. He further submits that co-accused Rakesh and Santosh have already been enlarged on bail and

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that the applicant has no criminal antecedents and conclusion of trial is likely to take time.

In reply, learned counsel for the State has opposed the application for grant of bail but has not disputed that the applicant has no criminal antecedents.

On perusal of the case diary and considering the circumstances of the case, I find prima facie force in the submissions made by the counsel for applicant. Hence I am of the considered view that the application for grant of bail deserves to be allowed and is accordingly **allowed**.

The **applicant-Aarti Varma** is directed to be released on bail upon her furnishing a personal bond in the sum of **Rs.35,000/- (Rs. Thirty Five Thousand)** with one surety in the like amount to the satisfaction of the Trial Court for her appearance as and when directed.

The applicant will attend each hearing of her trial before the Trial Court out of which this bail arises. Any default in attendance in Court would result in cancellation of the bail granted by this Court.

C.C. as per rules.

**(Prakash Shrivastava)  
Judge**

*trilok/-*