

**IN THE HIGH COURT OF MADHYA PRADESH  
AT INDORE  
BEFORE**

**HON'BLE SHRI JUSTICE ANIL VERMA**

**ON THE 19<sup>th</sup> OF MAY, 2022**

**MISC. CRIMINAL CASE No. 24465 of 2022**

**Between:-**

**NARENDRA SINGH MOURYA S/O ARJUN MOURYA , AGED  
ABOUT 28 YEARS, OCCUPATION: SERVICE GRAM GADAMOD  
DISTRICT HARDA (MADHYA PRADESH)**

**.....PETITIONER**

**(BY SHRI LOKESH MEHTA, ADVOCATE )**

**AND**

**THE STATE OF MADHYA PRADESH STATION HOUSE OFFICER  
THROUGH POLICE STATION PARDESHIPURA (MADHYA  
PRADESH)**

**.....RESPONDENTS**

**(BY SHRI RAJESH JOSHI, G.A.)**

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

**ORDER**

Applicant has filed this first bail application under Section 439 of the Code of Criminal Procedure, 1973. He is in Jail since 24.4.2022 in connection with Crime No. 407/2022 registered at P.S. SHO/S.I. Police station Pardeshipura District Indore (M.P.) for

commission of offence punishable under Section 376(2)(n), 312 and 506 of IPC.

As per the prosecution story, the complainant lodged an FIR against the present applicant that on the pretext of marriage the applicant has made physical relationship with her for the period of about three and half years and she became pregnant. On being pressurized for marriage the applicant started threatening to kill her and refused to marry with her and her abortion was forcibly conducted without her consent. Accordingly, a case has been registered against the applicant.

Learned counsel for the applicant submits that applicant is innocent and he has been falsely implicated in this matter. Applicant is in jail since 24.4.2022. The complainant is a major and matured lady. Investigation is almost complete. He also placed reliance upon judgment of the Hon'ble Apex court in the case of **Uday Vs. State of Karnataka reported in (2003) 4 SCC 46** and order dated 1.9.2020 passed by the Coordinate Bench of this Court in **M.Cr.C. No. 29841/2020 (Vikas Vs. The State of MP)**. Final conclusion of trial will take considerable long time. Hence, he prays that applicant be released on bail.

*Per-contra*, learned PL for respondent/State opposes the bail application and prays for its rejection.

Perused the case diary as well as the impugned order of the court below.

Considering all the facts and circumstances of the case, arguments advanced by counsel for the parties, nature and gravity of allegation as also taking note of the fact that prosecutrix is aged about 23 years of matured lady, she was in relationship with the present applicant for about three and half years, and final conclusion of trial will take considerable long time, I deem it proper to release the applicant on bail.

Accordingly, without commenting on the merits of the case, the application is allowed. It is directed that the applicant be released on bail upon his furnishing a personal bond in the sum of **Rs.75,000/- (Rs. Seventy Five Thousand only)** with one solvent surety in the like amount to the satisfaction of the trial Court for his appearance before the trial Court, as and when required. He shall abide by the conditions enumerated u/S. 437(3) Cr.P.C.

C.C. as per rules.

(ANIL VERMA)  
J U D G E