

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

**HON'BLE SHRI JUSTICE VIVEK RUSIA**

**ON THE 31<sup>st</sup> OF JANUARY, 2023**

**MISC. CRIMINAL CASE No. 2793 of 2023**

**BETWEEN:-**

**DINESH S/O SHRI NARAYAN PATIDAR, AGED ABOUT 46 YEARS,  
OCCUPATION: AGRICULTURE R/O KOTESHWAR ROAD NISARPUR  
TEHSIL KUKSHI DISTT. DHAR (MADHYA PRADESH)**

**.....APPLICANT**

**(SHRI OMPRAKASH SOLANKI, LEARNED COUNSEL FOR THE  
PETITIONER.)**

**AND**

**THE STATE OF MADHYA PRADESH STATION HOUSE OFFICER  
THROUGH POLICE STATION KUKSHI DISTT. DHAR (MADHYA  
PRADESH)**

**.....RESPONDENTS**

**(SHRI CHETAN JAIN, LEARNED GOVT. ADVOCATE FOR THE  
RESPONDENT/STATE.)**

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

**ORDER**

This is a repeat (6<sup>th</sup>) application filed under Section 439 of Cr.P.C. by the applicant who is in custody since 5.4.2021 in connection with Crime No.207/2021 registered at Police Station Kushi, District Dhar, for the offence punishable under Section 420, 467, 468, 471, 472, 201 of the I.P.C.

As per prosecution case, complainant Janki Yadav Land Acquisition and Rehabilitation Officer Sardar Sarovar, Project Kukshi has lodged an FIR by submitting a Office letter No.3/21 dated 3<sup>rd</sup> April, 2021 that one Radha wife of Sunil had submitted a forged allotment deed of plot size 60 x 90 Nisarpur Basahath for purpose of taking compensation from Land Acquisition Officer. Radha disclosed that accused Dinesh son of Narayan Patidar has prepared the forged lease in his name. Tahsildar Kukshi with the Patwari Panchayat Secretary conducted the search in the house of Dinesh and found 37 articles like seal, stamp, stamp papera, I.D. Card and Ration Card etc., used for preparation of various forged documents. He was arrested and his memorandum statement was recorded under Section 27 of the Evidence Act in which he has disclosed that he made contact with the present applicant for preparation of the seal of office of Land Acquisition Officer Sardar Sarovar Project Kukshi which he got prepared from Balram Yadav in Rs.2000/-. Accordingly, this applicant has been made accused in this case and was arrested on 6.4.2021.

Learned counsel for the applicant submits that the star witness Janki Yadav has been cross-examined. The co-accused have already been granted bail by this Court. The applicant is in jail since 5.5.2021. The trial will take considerable time to conclude. The applicant is not a habitual offender. He will participate in the trial. He, therefore, prays that the applicant be granted bail.

On the other hand, learned Govt. Advocate appearing for the respondent/State, prays for rejection of the application.

In view of the aforesaid facts and circumstances of the case, without further commenting anything on the merits of the case, it would be appropriate to enlarge the applicant on bail.

Accordingly, this application is allowed and the applicant – **Dinesh Patidar** is directed to be released on bail upon his furnishing personal bond in the sum of **Rs.40,000/-** (Rupees Forty Thousand) with one solvent surety in the like amount to the satisfaction of the trial Court for his regular appearance before the trial Court during the trial with a condition that he shall remain present before the court concerned during the trial and shall also abide by the conditions enumerated under Section 437(3) Cr.P.C.

C.C. as per rules.

( **VIVEK RUSIA** )  
**JUDGE**

Alok/-