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

BEFORE

HON'BLE SHRI JUSTICE SUBODH ABHYANKAR

ON THE 17th OF MARCH, 2023

MISC. CRIMINAL CASE No. 5908 of 2023

BETWEEN:-

**LACCHU SINGH @ LAXMAN SINGH S/O
LATE SHRI NATHU SINGH, AGED ABOUT 58
YEARS, OCCUPATION: SERVICE GRAM
BIRAM KHEDI, POST GHOSLA, TEHSIL
GHATIYA, UJJAIN (MADHYA PRADESH)**

.....PETITIONER

(SHRI AJAY MISHRA, ADVOCATE)

AND

**THE STATE OF MADHYA PRADESH
STATION HOUSE OFFICER THROUGH
POLICE STATION GHATIYA DISTRICT
UJJAIN (MADHYA PRADESH)**

.....RESPONDENTS

***(SHRI TARUN PAGARE, PANEL LAWYER APPEARING ON BEHALF OF
ADVOCATE GENERAL).***

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

ORDER

This Misc. Criminal Case has been filed under Section 482 of

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the Cr.P.C. by the petitioner for quashing the FIR lodged at Crime No. 185/2021 at Police Station-Ghatiya, District-Ujjain for offence under Sections 304/286 of the I.P.C. and under Section 5(A), 8, 9 of Explosive Act, 1884.

In the light of the order dated 11.1.2023 passed in M.Cr.C.No.30529/2021, counsel for the petitioner has submitted that the case of the present petitioner is identical to that of the other co-accused persons, as in M.Cr.C.No.30529/2021- applicant Satyanarayan Trivedi was the Sarpanch of Gram Panchayat Kalukhedi and the applicant Rajendrasingh Rajput was the Assistant Secretary; whereas the present petitioner happens to be the Secretary of the said Gram Panchayat and identical allegations have been levelled against the present petitioner also that he is also responsible in the aforesaid offence.

Counsel for the respondent/State has opposed the prayer. However, it is not denied that the other co-accused persons-the office bearers of the Gram Panchayat have already been given relief and their charges have been quashed.

On due consideration of the submissions and on perusal of the documents placed on record, including the charge sheet which is available with the counsel for the petitioner, this Court finds force with the contention raised by the counsel for the petitioner and is of the opinion that the case of the present petitioner is at par with the

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other co-accused persons Satyanarayan Trivedi and Rajendrasingh Rajput.

In view of the same, the present M.Cr.C is **allowed** the impugned order dated 6.4.2022 passed by the Seventh Additional Sessions Judge, Ujjain in S.T. No. 30/2022 framing charges against the applicant under Section 304 and 286 of the IPC and Section 5(A), 8, 9 of Explosive Act, 1984 is hereby quashed and the applicant is discharged from the aforesaid charges.

Certified copy, as per rules.

(**SUBHODH ABHYANKAR**)
JUDGE

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