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

**BEFORE  
HON'BLE SHRI JUSTICE PRAKASH CHANDRA GUPTA**

**ON THE 18<sup>th</sup> OF MARCH, 2024**

**MISC. CRIMINAL CASE No. 10232 of 2024**

**BETWEEN:-**

**SUNITA W/O MUKESH GIRWAL, AGED ABOUT 40 YEARS,  
OCCUPATION: LABOUR JHOPAD PATTI BAGDUN  
THANA PITHAMPUR, DHAR (MADHYA PRADESH)**

**.....APPLICANT**

**(BY SHRI RAJAT RAGHUWANSHI, ADVOCATE.)**

**AND**

**THE STATE OF MADHYA PRADESH STATION HOUSE  
OFFICER THROUGH P.S. SECTOR 3 PITHAMPUR, DHAR  
(MADHYA PRADESH)**

**.....RESPONDENTS**

**(BY SHRI RAHUL SOLANKI, GOVT. ADVOCATE)**

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

**ORDER**

Heard with the aid of case diary.

This is first application filed under Section 439 of Cr.P.C. for grant of bail to the applicant, in connection with FIR/Crime No.16/2024, Date:-(Not mentioned) registered at P.S.-Pithampur, District-Dhar (M.P.) for commission of offence punishable under Sections 304-B, 498-A and 34 of the IPC.

2. Prosecution story, in brief is that marriage of the deceased Nandini was solemnized with the co-accused Anand on 25/04/2023. The present applicant is mother in law of the deceased. On 10/01/2024 the deceased Nandini committed suicide by hanging and a Marg was registered. During Marg inquiry

it was found that the present applicant and co-accused used to pressurize the deceased to go for work and also they had complained for not receiving any dowry during marriage. Due to the aforementioned, the applicant and co-accused had physically and mentally harassed her and in consequence of which the deceased committed suicide.

3. Learned counsel for the applicant/ accused submits that, the applicant has not committed the offence and has falsely been implicated in the case. It is submitted that the applicant had not abetted the deceased in any manner to commit suicide. Even if the prosecution story is considered to be true at its face value, then too alleged act of the applicant does not come under the definition of abetment as provided u/S 107 of IPC. Therefore, no offence u/S 306 of IPC is made out against the applicant. It is submitted that the applicant is in custody since 13/01/2024. After investigation chargesheet has been filed. Trial will take considerable long time for its disposal, therefore, it is prayed that the applicant be released on bail.

4. On other hand learned counsel for the non-applicant/State has opposed the prayer and submits prayed for rejection of the application.

5. Having considered the rival contentions of the learned counsels for the parties, perused the case diary, also looking to the aforesaid facts and circumstances of the case and allegations made against the applicant, this court is of considered view that this is a fit case to grant bail to the applicant. Hence, without expressing any opinion on merit of the case, this application is **allowed**.

6. It is directed that the applicant- **SUNITA** be released on bail upon his/her furnishing personal bond in the sum of **Rs.50,000/- (Rupees Fifty Thousand only)** with one solvent surety in the like amount to the satisfaction of

the concerned trial Court for his/her appearance before the trial Court on all such dates as may be fixed in this behalf by the trial Court during pendency of the trial. It is further directed that applicant shall comply with the provisions of Section 437(3) of Criminal Procedure Code, 1973.

7. M.Cr.C. stands disposed of, accordingly.

C.c. as per rules.

**(PRAKASH CHANDRA GUPTA)**  
**JUDGE**

ajit

