IN THE HIGH COURT OF MADHYA PRADESH AT INDORE

BEFORE

HON'BLE SHRI JUSTICE SUBODH ABHYANKAR

ON THE 5th OF JULY, 2024

MISC. CRIMINAL CASE No. 16132 of 2024

(ISHWAR
Vs
THE STATE OF MADHYA PRADESH)

Appearance:
(SHRI HIMANSHU NAGDA- ADVOCATE FOR THE PETITIONER)
(SHRI KAPIL MAHANT- P.L./G.A. FOR THE STATE)

ORDER

1. This Misc. Criminal Case has been filed by the petitioner under Section 482 of the Cr.P.C. for modification of the order dated 19.06.2023 passed in M.Cr.C.No.24968/2023, whereby this Court, while allowing the bail application has directed the applicant to deposit a sum of Rs.4,38,946/-.

2. Counsel for the petitioner has submitted that the petitioner has already deposited a sum of Rs.1,56,500/- whereas, the amount of Rs.2,82,464/- still remains to be deposited. It is also submitted that the petitioner is facing extreme financial difficulties and thus, he is not able to deposit the additional amount, as he has also deposited a sum of Rs.4 lakhs in connection with M.Cr.C. No.31929/2023 dated 23.08.2023, as the aforesaid case was identical to that of the present case. Thus, it is submitted that the petition be allowed and the order be modified and the petitioner's bail be made absolute on deposit of the amount of Rs.1,56,500/- instead of the entire amount of Rs.4,38,946/-.

3. Counsel for the State, on the other hand, has opposed the prayer.

4. Having considered the rival submissions, on perusal of the documents filed on record and taking note of the fact that the order passed in M.Cr.C. No.31929/2023 dated 23.08.2023 has also been modified in M.Cr.C.

No.7505/2024 vide order dated 27.02.2024 and the amount has been reduced to Rs.4 lakhs only from Rs.24 lakhs, this Court is inclined to allow the present petition.

5. Accordingly, it is directed that as the petitioner has already deposited a sum of Rs.1,56,500/- in a fixed deposit, no further amount is required to be deposited by him and the order of bail is made absolute on account of the deposit of Rs.1,56,500/-

6. With the aforesaid, the M.Cr.C. stands *allowed*.

(SUBODH ABHYANKAR)
JUDGE

Bahar