

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

BEFORE

HON'BLE SHRI JUSTICE BINOD KUMAR DWIVEDI

ON THE 11th OF JUNE, 2024

MISC. CRIMINAL CASE No. 23465 of 2024

BETWEEN:-

**SHIVPAL SINGH S/O BALU SINGH, AGED: ADULT,
OCCUPATION: NOT KNOWN, R/O: GRAM NANDED,
PRESENT TEHSIL MAKDON, DISTRICT- UJJAIN
(MADHYA PRADESH)**

.....APPLICANT

(BY SHRI SACHIN PARMAR - ADVOCATE.)

AND

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

.....RESPONDENT

***(BY SHRI ANENDRA SINGH PARIHAR - GOVERNMENT ADVOCATE
APPEARING ON BEHALF OF ADVOCATE GENERAL.
OBJECTOR - COMPLAINANT AJAY SINGH S/O HIMMAT SINGH, R/O GRAM
LOHANA, TEHSIL AND DISTRICT DEWAS (MP) BY SHRI JITENDRA
SHARMA - ADVOCATE.)***

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

ORDER

This **first** bail application under Section 439 of Code of Criminal Procedure, 1973 (herein after referred to as the Code) has been filed on behalf of applicant Shivpal Singh S/o Balu Singh (*Devar - brother-in-law* of deceased Sonakunwar w/o Shakti Singh) for grant of regular bail in relation to Crime / FIR No.93 of 2024 (date not mentioned) registered at Police Station Makdon, District Ujjain (M.P.) for commission of offence under Sections 304-B and 498-

A read with Section 34 of Indian Penal Code, 1860 and also under Section 3 read with Section 4 of Dowry Prohibition Act, 1961. The applicant is in jail since 22.05.2024.

2. Learned counsel for the applicant submits that omnibus allegations have been levelled against the applicant and other co-accused persons namely Asha kunwar W/o Bhupendra Singh (sister-in-law of the deceased), Balu Singh S/o Take Singh (father-in-law of the deceased) and Gendkunwar W/o Balu Singh (mother-in-law of the deceased), who have been granted anticipatory bail by this Court. Charge-sheet has been filed and trial will take considerable long time for its conclusion. He further submits that the applicant is innocent and there is no likelihood of his of absconding and tempering with the prosecution evidence / witness (es). He is ready to furnish adequate surety with all the terms and conditions which may be imposed by the Court. On these grounds, he prays for allowing the bail application.

3 . Learned counsel for the respondent - State as well as learned counsel appearing for the complainant - objector have vehemently opposed the prayer.

4. Heard learned counsel for the parties and perused the case diary.

5. The applicant has been arrested on 22.05.2024. The investigation is complete. No fruitful purpose appears to be served, if the applicant is kept behind the bar. The applicant has a permanent place of residence in Madhya Pradesh. Looking to the facts and circumstances of the case, this Court is inclined to enlarge the applicant on bail.

6. It is directed that subject to furnishing a 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 trial Court, for his / her regular appearance before the concerned Court on all the dates fixed by the said Court during trial,

the applicant be released on bail.

7. The applicant shall also comply with provisions of Section 437 (3) of the Code.

8 . This order shall be effective till the end of the trial, however, in case of bail jump and / or breach of any of the conditions of bail, it shall become ineffective.

9. Accordingly, this M.Cr.C. stands allowed and disposed off.

Pending interlocutory application, if any, stands disposed off.

Certified copy, as per rules.

rcp



(BINOD KUMAR DWIVEDI)
V. JUDGE