



IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE

BEFORE

HON'BLE SHRI JUSTICE SUBODH ABHYANKAR

ON THE 6th OF SEPTEMBER, 2024

MISC. CRIMINAL CASE No. 37108 of 2024

PINKI CHOUHAN

Versus

THE STATE OF MADHYA PRADESH

Appearance:

*Shri Avinash Sirpurkar- Senior Advocate with Shri Bablu Patel- Advocate
for the applicant.*

Shri Pranay Joshi- P.L./G.A. for the State.

ORDER

1. They are heard. Perused the case diary/challan papers.
2. This is the applicant's **second** bail application filed under Section 483 of Bharatiya Nagrik Suraksha Sanhita, 2023/ Section 439 of Criminal Procedure Code, 1973, as he / she is implicated in connection with Crime No.12/2024 registered at Police Station Bhavgarh, District Mandsaur (MP) for offence punishable under Sections 302, 201 and 34 of the Indian Penal Code, 1860 and Sections 25 and 27 of the Arms Act. The applicant is in custody since 24.01.2024. Her earlier bail application, M.Cr.C. No.27290/2024 was allowed temporarily by this Court on 12.07.2024 for a period of one month, on the ground of ailment.
3. Counsel for the applicant has submitted that the applicant is lodged in jail since 24.01.2024 and the eye witness PW-9 Lalsingh has already been examined in the Trial Court and has not supported the case of the prosecution, copy of his deposition is also filed on record. Thus, it is submitted that the application may be allowed and the applicant may be released on bail.



4. Counsel for the respondent / State, on the other hand has opposed the prayer and it is submitted that no case for grant of bail is made out, however, on a query made by this Court, counsel has also submitted that the fingerprints from the car in which the body of the deceased was found and which was being allegedly driven by the applicant, have not been obtained.

5. In such circumstances, since there is no other evidence available in the case-diary to connect the applicant with the offence, this Court is inclined to allow the present application.

6. Accordingly, without commenting on the merits of the case, the application filed by the applicant is **allowed**. The applicant is directed to be released on bail upon furnishing a personal bond in the sum of **Rs.50,000/-** (rupees fifty thousand) with one solvent surety of the like amount to the satisfaction of the trial Court for his/her regular appearance before the trial Court during trial with a condition that he / she shall remain present before the court concerned during trial and shall also abide by the conditions enumerated under Section 437 (3) Criminal Procedure Code, 1973.

7. M.Cr.C. stands ***allowed*** and ***disposed of***.

Certified copy as per rules.

(SUBODH ABHYANKAR)
JUDGE