

The High Court Of Madhya Pradesh

MCRC-44816-2020

(RAVINDRA SINGH Vs THE STATE OF MADHYA PRADESH)

Jabalpur, Dated : 25-11-2020

Heard through Video Conferencing.

Shri Neeraj Jain, learned counsel for the applicant.

Shri N.S. Solanki, learned Panel Lawyer for the respondent/State.

Heard on this first application filed by the applicant under Section 439 of Code of Criminal Procedure for grant of bail.

The applicant is in jail since 26/12/2019 in connection with Crime No.665/2019, registered at Police Station-Banda, District- Sagar for the offence under Sections 304-B, 306, 498-A read with Section 34 of IPC and also under Section 3 read with Section 4 of Dowry Prohibition Act.

The allegation against the applicant, in short, is that the applicant is the husband of the deceased. Deceased died on 24/9/2019 within three years of her marriage with the applicant by hanging herself. The applicant reported the death of the deceased at Police Station where Marge No.146/2019 registered. During Marge Enquiry, statement of father and mother of the deceased were recorded in which they stated that after one year of marriage of the deceased, applicant started demanding of Rs.one lakh and motorcycle and harassed her due to non-fulfilment of demand. They came to the matrimonial house of the deceased and stated that they are not in a position to give further money of Rs.one lakh and motorcycle and went back. Thereafter applicant along with other co-accused started harassing deceased and treated her cruelly, however, ultimately she ended her life by hanging herself.

Learned counsel for the applicant submits that the applicant has falsely been implicated in the case. It is further submitted by him that after investigation, charge-sheet has been filed. Two of the co-accused i.e. mother-in-law and sister-in-law of the deceased have already been enlarged on anticipatory bail. In such circumstances, it is prayed that the applicant may be enlarged on bail.

On the other hand, learned Panel Lawyer for the respondent/State vehemently opposes the bail application.

Having heard learned counsel for the parties, perused the case diary.

After perusal of the case diary, it is reflected that the applicant remained absconded not appeared before the Investigating Officer. Investigating Officer

submitted charge sheet showing the applicant absconded and it is reflected that deceased resided with the applicant and the applicant demanded money and motorcycle and harassed her due to non-fulfilment of the demand. There is *prima facie* strong allegations found against the applicant, therefore, the applicant is not entitled for bail even though other co-accused i.e. mother-in-law and father-in-law have already been enlarged on bail.

Accordingly, this application filed under Section 439 of Cr.P.C. on behalf of applicant-Ravindra Singh is hereby dismissed.

(VISHNU PRATAP SINGH CHAUHAN)
JUDGE

ts

