

Salim Khan vs The State Of Madhya Pradesh on 26 November, 2024

Author: Maninder S. Bhatti

Bench: Maninder S. Bhatti

NEUTRAL CITATION NO. 2024:MPHC-JBP:57944

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IN THE HIGH COURT OF MADHYA PRADESH
AT JABALPUR
BEFORE
HON'BLE SHRI JUSTICE MANINDER S. BHATTI
ON THE 26th OF NOVEMBER, 2024
CRIMINAL APPEAL No. 12731 of 2024
SALIM KHAN
Versus
THE STATE OF MADHYA PRADESH AND OTHERS
Appearance:
Shri Nitin Jain - Advocate for the appellant.
Shri Raghuwar Prajapati - Panel Lawyer for the State.

ORDER

This is first criminal appeal filed by the appellant under Section 14(A) of the SC/ST (Prevention of Atrocities) Act for grant of regular bail relating to FIR/Crime No. 465/2024 dated 15.10.2024 registered at Police Station Chicholi, District Betul for the offences punishable under Sections 108, 3(5) of the Bhartiya Nyay Sanhita, 2023, Sections 3(2)(v), 3(2)(va) of the SC/ST (Prevention of Atrocities) Act, 1989 and Section 4 of M.P. Riniyon ka Sanrakshan Adhiniyam, 1936.

2. The counsel for the appellant submits that the appellant is innocent and has been falsely implicated in the case. A perusal of suicide note alleged to have been left by the deceased reflects that so far as present appellant is concerned, he had never threatened the deceased, therefore, he has no connection with the suicide of the deceased. It is further contended that the suicide note as well as statement of the wife of the deceased reflect that the appellant had to made some payment in lieu of certain work, which was NEUTRAL CITATION NO. 2024:MPHC-JBP:57944 2 CRA-12731-2024 being demanded by the deceased, which he was not making, therefore, the deceased committed suicide. It is further contended that the statement of the wife of the deceased as well as suicide note contains allegations against co- accused Harish Yadav and Pappu Jaiswal. So far as co-accused Harish Yadav and Pappu Jaiswal are concerned, it is specifically mentioned that they had threatened the deceased but there is no such allegation against the appellant. It is further submitted that the appellant is in custody since 17.10.2024 and trial would take considerable time to

conclude, therefore, the appellant be released on bail.

3. The counsel for the State has opposed the application and submitted that the deceased died leaving behind a suicide note, which contains the name of the appellant also and it has been stated in the suicide note that the appellant was also troubling the deceased. Therefore, the appellant is not entitled to be released on bail.

4. Heard submissions and perused the case diary.

5. Looking to the nature of allegations levelled by the deceased in the suicide note and the statement of the wife of the deceased, this Court finds it to be a fit case to release the appellant on bail. Therefore, without commenting on the merit of the case, the appeal is allowed.

6. It is directed that the appellant shall be released on bail on furnishing a personal bond in a sum of Rs.50,000/- (Rupees Fifty Thousand Only) with one surety in the like amount to the satisfaction of the trial Court concerned for his appearance before the said Court on all such dates as may be fixed by that Court in this regard during the pendency of trial.

NEUTRAL CITATION NO. 2024:MPHC-JBP:57944 3 CRA-12731-2024 7 . It is further directed that the appellant shall comply with the provisions of Section 480 (3) of Bharatiya Nagrik Suraksha Sanhita, 2023.

(MANINDER S. BHATTI) JUDGE PB