

Rishi Choudhary vs The State Of Madhya Pradesh on 8 January, 2025

Author: Prakash Chandra Gupta

Bench: Prakash Chandra Gupta

NEUTRAL CITATION NO. 2025:MPHC-IND:490

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IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE
BEFORE
HON'BLE SHRI JUSTICE PRAKASH CHANDRA GUPTA
ON THE 8th OF JANUARY, 2025
MISC. CRIMINAL CASE No. 55683 of 2024
RISHI CHOUDHARY
Versus
THE STATE OF MADHYA PRADESH
Appearance:
Shri Vishal Sharma - advocate for the applicant.
Shri Rahul Solanki - GA for the State.

ORDER

Heard with the aid of case diary.

This is first application filed under Section 483 of the BNSS for grant of bail to the applicant, in connection with FIR/Crime No.212/2024, Date:-

(Not mentioned) registered at P.S.-Palasia, District-Indore (M.P.) for commission of offence punishable under Sections 384, 389, 182, 195, 120-B of the IPC.

2. Prosecution story in brief is that on 13/06/2024 the co-accused Mamta had lodged an FIR bearing crime no.210/ 2024 offence punishable u/S 328, 376 and 506 of IPC at P/S Palasia, Indore Urban against Sajal Mittal. During investigation of the aforementioned crime, father of Sajal Mittal namely Satish Mittal filed an application on 14/06/2024 stating that the co-accused Mamta has lodged a false report against his son Sajal, wherein Sajal has been arrested. After lodging of the aforesaid FIR, the co-

NEUTRAL CITATION NO. 2025:MPHC-IND:490 2 MCRC-55683-2024 accused Mamta alongwith her husband and other family members had exchange messages that they will get Sajal released in

return of money. On 14/06/2024 when the complainant went to police station to meet Sajal, the co-accused Mamta and her husband met him. Both of them told the complainant that he met with them at Palasia Square. Thereafter he met the complainant and her husband then they demanded Rs.50,00,000/- to get Sajal released. Complainant expressed inability to pay the sum of money. Thereafter the complainant met Sajal in the court premises then he told him that the co-accused Mamta is blackmailing him, he has not committed the offence and he has been falsely implicated. Complainant also came to know that the co-accused Mamta being a lady runs a racket of blackmailing and by this she has gotten several persons into honey trap and has blackmailed all of them. She has had done 7 to 8 marriages, wherein after the marriage she used to flee away from there after taking gifts because of which she is also known as 'Luteri Dulhan'. On the basis of aforesaid written complaint an FIR was lodged on 15/06/2024 against present applicant Rishi Choudhary and co-accused persons Neeraj, Shubhan and co-accused persons Mamta Pawar, Radhey Pahalwan, Madan and co-accused Mamta. On completion of investigation of crime no.210/2024 it was found that the co-accused Mamta had lodged false FIR against Neeraj and she has attempted extortion against him.

3. Learned counsel for the applicants submits that, the applicant has not committed the offence and has falsely been implicated in the case. As alleged main accused is Mamta who is wife of the present applicant who NEUTRAL CITATION NO. 2025:MPHC-IND:490 3 MCRC-55683-2024 black mailed Sajal and his father. It is submitted that applicant had not received money from Sajal and his father. It is also submitted that co-accused persons Shubham Singh Rajput, Neeraj and Mamta Panwar have already granted bail by the court and case of the present applicant is identical with the aforesaid co-accused persons. It is also submitted that the applicant is in custody since 15/06/2024. After investigation chargesheet has been filed. Trial will take considerable long time for its disposal, therefore, it is prayed that the applicant be released on bail.

4. On other hand learned counsel for the state/ non-applicant as well as learned counsel for the objector have opposed the prayer and prayed for rejection of the application. However, counsel for the State submitted that applicant has three criminal antecedents out of which in two case he has been acquitted but in one case is pending against him.

5. Having considered the rival contentions of the learned counsels for the parties, perused the case diary, and it is not disputed that case of the present applicant is identical with the co-accused persons who have been granted bail by this court therefore, this court is of considered view that this is a fit case to grant bail to the applicant. Hence, without expressing any opinion on merit of the case, these applications are allowed.

6. It is directed that the applicant- RISHI CHOUDHARY be released on bail upon his furnishing 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 concerned trial Court for his appearance before the trial Court on all such dates as may be fixed in this behalf by the trial Court NEUTRAL CITATION NO. 2025:MPHC-IND:490 4 MCRC-55683-2024 during pendency of the trial. It is further directed that applicant shall comply with the provisions of Section 480(3) of the BNSS.

7. M.Cr.C. stands disposed of, accordingly.

C.c. as per rules.

(PRAKASH CHANDRA GUPTA) JUDGE ajit