

Shubham Singh Rajput vs The State Of Madhya Pradesh on 28 August, 2024

Author: Prakash Chandra Gupta

Bench: Prakash Chandra Gupta

NEUTRAL CITATION NO. 2024:MPHC-IND:24906

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IN THE HIGH COURT OF MADHYA PRADESH
AT INDORE
BEFORE
HON'BLE SHRI JUSTICE PRAKASH CHANDRA GUPTA
ON THE 28th OF AUGUST, 2024
MISC. CRIMINAL CASE No. 29339 of 2024
SHUBHAM SINGH RAJPUT
Versus
THE STATE OF MADHYA PRADESH

Appearance:
Shri Arpit Kumar Oswal, learned counsel for the appli
Shri Viraj Godha, learned PL for the State.

WITH
MISC. CRIMINAL CASE No. 29341 of 2024
NEERAJ
Versus
THE STATE OF MADHYA PRADESH

Appearance:
Shri Arpit Kumar Oswal, learned counsel for the appli
Shri Viraj Godha, learned PL for the State.
Shri Gopal Singh Bhadoriya, learned counsel for the 0

ORDER

Heard with the aid of case diary.

These are first applications filed under Section 439 of Cr.P.C. for grant of bail to the applicants, 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 NEUTRAL CITATION NO. 2024:MPHC-IND:24906

2 MCRC-29339-2024 of the IPC.

2. Prosecution story in brief is that on 13/06/2024 the prosecutrix/ co- accused 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 prosecutrix/ co-accused has lodged a false report against his son Sajal, wherein Sajal has been arrested. After lodging of the aforesaid FIR, the prosecutrix alongwith her husband and other family members had sent message 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 prosecutrix 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 prosecutrix is blackmailing him, he has not committed the offence and he has been falsely implicated. Complainant also came to know that the prosecutrix 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

- 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 applicants Neeraj, Shubhan and co-accused persons Mamta Pawar, NEUTRAL CITATION NO. 2024:MPHC-IND:24906 3 MCRC-29339-2024 Rishi Choudhary, Radhey Pahalwan, Madan and prosecutrix. On completion of investigation of crime no. 210/ 2024 it was found that the prosecutrix had lodged false FIR against Neeraj and she has attempted extortion against him.

3. Learned counsel for the applicants submits that, the applicants have not committed the offence and have falsely been implicated in the case. It is further submitted that the applicants are neither the complainant of the FIR lodged against Sajal nor witness of the aforesaid crime. Therefore, no offence u/s 195 and 389 of IPC prima facie is made out against the applicants. Other offences are punishable up to 3 years of imprisonment. It is also submitted that the applicants are in custody since 16/06/2024. After investigation chargesheet has been filed. Trial will take considerable long time for its disposal, therefore, it is prayed that the applicants 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.

5. Having considered the rival contentions of the learned counsels for the parties, perused the case diary, also looking to the aforesaid facts and circumstances of the case and allegations made against the applicants, this court is of considered view that this is a fit case to grant bail to the applicants. Hence, without expressing any opinion on merit of the case, these applications are allowed.

6. It is directed that the applicants- SHUBHAM SINGH & NEERAJ be released on bail upon their furnishing personal bond in the sum of NEUTRAL CITATION NO. 2024:MPHC-IND:24906 4 MCRC-29339-2024 Rs.50,000/- (Rupees Fifty Thousand only) Each with separate sureties in the like amount to the satisfaction of the concerned trial Court for their appearance before the trial

Court on all such dates as may be fixed in this behalf by the trial Court during pendency of the trial. It is further directed that applicants shall comply with the provisions of Section 437(3) of Criminal Procedure Code, 1973.

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

C.c. as per rules.

(PRAKASH CHANDRA GUPTA) JUDGE ajit