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**IN THE HIGH COURT OF MADHYA PRADESH  
AT INDORE**

**BEFORE  
HON'BLE SHRI JUSTICE PRAKASH CHANDRA GUPTA**

**ON THE 24<sup>th</sup> OF APRIL, 2024**

**MISC. CRIMINAL CASE No. 16333 of 2024**

**BETWEEN:-**

**MANGILAL S/O MOTISINGH, AGED 47 YEARS,  
OCCUPATION: AGRICULTURE R/O GRAM- GURADIYA  
SURDAS, TEHSIL TONK KHURD DISTT.- DEWAS  
(MADHYA PRADESH)**

**.....APPLICANT**

***(BY SHRI JEEVAN SINGH GURJAR - ADVOCATE)***

**AND**

**THE STATE OF MADHYA PRADESH THROUGH POLICE  
STATION PIPALRAVA DISTRICT DEWAS (MADHYA  
PRADESH)**

**.....RESPONDENT/STATE**

***(BY SHRI ANAND BHATT - DEPUTY GOVT. ADVOCATE)***

*This application coming on for admission this day, the court passed the  
following:*

**ORDER**

Heard with the aid of case diary.

This is first application filed under Section 439 of Cr.P.C. for grant of bail to the applicant, in connection with FIR/Crime No.41/2024, Date:- 28.01.2024 registered at P.S. - Pipalrawan, District - Dewas (M.P.) for commission of offence punishable under Sections 294, 323, 324, 325, 326/34 and 506 of the IPC.

2. Prosecution story in brief is that, on 28.01.2024 at around 5 p.m. when complainant Surendra Singh, his mother Amrita Bai and friends Nilesh, Kailash

and Pramod were at farm land of the complainant. At that time, present applicant carrying with axe and his sons/ co-accused persons Rahul and Ravindra carrying with lathis came there and started abusing to the complainant in filthy language. When He objected to abuse then present applicant and co-accused persons assaulted the complainant by their weapons. Kailash and Pramod tried to rescue the complainant then co-accused persons also assaulted Kailash by means of lathi. Complainant Surendra received several injuries on his body including fracture in his right index finger, left middle finger and nasal bone. Matter was reported on the same day.

3. Learned counsel for the applicant submits that applicant has not committed the offence and has falsely been implicated in the case. It is submitted that as per allegations present applicant assaulted injured Surendra on his head but no grievous injuries was found on his head. It is also submitted that main accused are co-accused persons who gave grievous injury to complainant-Surendra. It is also submitted that applicant is in custody since 19.03.2024. After completion of investigation charge sheet has been filed. The conclusion of the trial will take sufficient long time for its disposal. Under these circumstances, prayer is made for grant of bail to the applicant.

4. On the other hand, learned counsel for the non-applicant/State has opposed the prayer of the applicant and submits that accused persons have assaulted the injured in furtherance of their common intention and caused multiple grievous injuries to complainant Surendra. Offence is serious in nature therefore applicant is not entitled for grant of bail.

5. Having considered the submissions advanced from counsel for the parties, also considering the facts and circumstances, this Court is of the view that at this stage it is not a fit case to grant bail to the applicant. Resultantly,

M.Cr.C. is dismissed.

**(PRAKASH CHANDRA GUPTA)**  
**JUDGE**

ajit

