

**MCRC-10636-2016**

*(SUKHWATI Vs THE STATE OF MADHYA PRADESH)*

**28-06-2016**

Shri Sourabh Bhushan Shrivastava, learned counsel for the applicant.

Shri Akshay Namdeo, learned Panel Lawyer for the respondent-State.

Heard arguments.

Perused case diary and material on record.

This is the first bail application filed by the applicant under Section 438 of the Cr.P.C. for grant of anticipatory bail as she apprehends her arrest in Crime No.575/2016, registered at Police Station Gadarwara, district Narsinghpur, against her and her husband/co-accused Munnalal for the offences punishable under Sections 294, 353, 506 and 34 of the IPC.

Prosecution allegations are that on 08.06.2016, the applicant and co-accused created obstructions in discharge of official duties of complainant Kanchhedilal, the Panchayat Secretary of village Palahara, and committed marpeet with him.

Learned counsel for the applicant submits that the applicant is an aged woman and that this is the first ever criminal case registered against her. He submits that the court below has granted bail to her husband/co-accused Munnalal. He submits that the applicant is a permanent resident of village Palahara and that she has no criminal antecedents. He submits that as per the MLC report of the complainant he has not sustained any visible injury on his person. Upon these submissions, he prays for grant of anticipatory bail to the applicant.

Learned Panel Lawyer opposes the prayer.

On due consideration of the facts and circumstances of the case, the submissions raised on behalf of the parties by their counsel and perusal of the MLC report of the complainant, but without expressing any

opinion on merits of the case, I am of the view that this is a fit case for grant of anticipatory bail to the applicant with certain conditions. Allowing this application, she is directed to appear before the Investigating Officer on or before 14.07.2016 for interrogation and submission of documentary proofs of her permanent residence and contact numbers, if any. The Investigating Officer is ordered that if he arrests the applicant in the aforesaid crime, in that event, he will release her immediately on bail upon her furnishing a personal bond in the sum of **Rs.20,000/- (rupees twenty thousands only)** with one solvent surety of the same amount to his satisfaction. Further, she will abide by the conditions enumerated in Section 438(2) of the Cr.P.C. It is made clear that if she fails to appear before the Investigating Officer within the stipulated period, then this bail order shall stand automatically cancelled.

Certified copy as per rules.

**(RAJENDRA MAHAJAN)**  
**JUDGE**