

Shivlal Vs. State of Rajasthan

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Court : Rajasthan

Decided On : Sep-21-2005

Reported in : RLW2005(4)Raj2385

Judge : Khem Chand Sharma, J.

Acts : Indian Penal Code (IPC) - Sections 406, 498A; [Code of Criminal Procedure \(CrPC\) , 1973](#) - Sections 439

Appeal No. : S.B. Criminal Misc. Bail Application No. 5332 of 2005

Appellant : Shivlal

Respondent : State of Rajasthan

Advocate for Pet/Ap. : R.P. Kuldeep, Public Prosecutor; Praveen Balwada, Adv.

Judgement :

Khem Chand Sharma, J.

1. Heard learned Counsel for the petitioner as well as learned Public Prosecutor and perused the material available on the case diary. Investigation under Sections 498A and 406 IPC on the report lodged by complainant wife is pending against the petitioner.

2. Learned counsel for the petitioner contended that Roznamcha report dated 24.3.2005 indicates that complainant herself went with her father and that the Stridhan property as been handed over at Police Station by the father of the petitioner on 10.9.2005.

3. Learned P.P. although has opposed the application but could not controvert the above facts.

4. Taking into consideration the entire facts and circumstances of the case but without commenting upon the merits of the case, I consider it just and proper to release the accused petitioner on bail under Section 439 Cr.P.C.

5. It is, therefore, ordered that accused petitioner Shiv Lal shall be released on bail in FIR No. 159/2005 registered at Police Station Nawalgarh District Jhunjhunu provided he furnishes a personal bond in the sum of Rs. 15,000/- (Rupees Fifteen Thousand) together with one surety in the like sum to the satisfaction of the learned Trial Court for his appearance before that court on all dates of hearing and as and when called upon to do so.