



CGHC010250812026



2026:CGHC:27967

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 6002 of 2026

Abhay Singh S/o Ashok Singh Aged About 27 Years R/o Ward No.02 Premnagar Pondi Ps Pondi, District- M C B (C.G.) (In The Impugned Order) 17-06-2026 Appearing On Page No-07 District- Korea Wrongly Writen)

... Applicant(s)

versus

The State Of Chhattisgarh Through S H O Ps Udaipur District- Sarguja (C.G.)

... Non-applicant(s)

For Applicant(s) : Mr. Ghanshyam Sharma, Advocate.

For Non-applicant(s) : Ms. Ritika Verma, Panel Lawyer.

Hon'ble Mr. Ramesh Sinha, Chief Justice

Order on Board

07/07/2026

1. This is the first bail application filed under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short 'BNSS') for grant of regular bail to the applicant who has been arrested in connection with Crime No. 92/2026 registered at Police Station Udaipur, District Sarguja (C.G.) for the offence punishable under Sections 69 and 351(3) of BNS.
2. Case of the prosecution in brief is that the victim came into contact

with the present applicant, Abhay Singh, through Facebook in the year 2024 and thereafter they started communicating through WhatsApp. During the course of their acquaintance, the applicant allegedly expressed his love and promised to marry the victim, despite being informed by her that she was a widow and had a child from her previous marriage. It is alleged that, on the strength of the said promise, the applicant took the victim to Mahindra Lodge, Udaipur (District Surguja) in August, 2024, where he established physical relations with her. Thereafter, whenever the victim insisted upon marriage, the applicant allegedly avoided the issue. It is further alleged that on 25.05.2026, when the victim again requested the applicant to marry her, he abused her in filthy language and threatened to kill her if she continued to pressurize him. On the basis of the complaint lodged by the victim, a Zero FIR was initially registered under Sections 69 and 351(3) of the Bharatiya Nyaya Sanhita, 2023, and since the alleged incident had taken place within the jurisdiction of Police Station Udaipur, District Surguja, the case diary and relevant documents were transferred to the concerned Police Station for investigation. During the course of investigation, the applicant was arrested on 04.06.2026 and after completion of the investigation, charge-sheet has been filed against him for the aforesaid offences.

- 3.** Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the present case. It is submitted that the victim herself came into contact with the applicant through Facebook and voluntarily shared her WhatsApp

number, whereafter both remained in regular contact through WhatsApp. He further submits that the victim never disclosed to the applicant that she was already married, was a widow and had a child from her previous marriage. It is contended that the victim, being a resident of Korba, voluntarily visited the applicant at Udaipur, District Surguja, and the physical relationship between them was consensual. It is further submitted that when the applicant came to know about the true marital status of the victim, he refused to continue the relationship, whereupon the victim started pressurizing him to marry her and, upon his refusal, threatened to implicate him in a false case, which ultimately led to the lodging of the present FIR. He also submits that the applicant has no criminal antecedents, is the sole earner of his family, has been in judicial custody since 04.06.2026, the investigation has been completed, and the conclusion of the trial is likely to take considerable time. Accordingly, it is prayed that the applicant be enlarged on bail.

4. On the other hand, learned State counsel opposes the prayer for grant of bail and submits that the victim, in her statement recorded during the course of investigation, has specifically supported the prosecution case and categorically stated that the applicant established physical relations with her on the false promise of marriage and thereafter refused to marry her. It is further submitted that the allegations against the applicant are serious in nature and disclose a prima facie case under the alleged offences. Considering the statement of the victim, the material collected during the course of investigation and the gravity of the

allegations, learned State counsel submits that no case for grant of bail is made out and therefore, the present application deserves to be rejected.

5. I have heard learned counsel appearing for the parties and perused the case diary.
6. Taking into consideration the facts and circumstances of the case, nature and gravity of the offence, period of detention of the applicant since 04.06.2026 and the fact that as per the prosecution case the victim and the applicant came into contact through Facebook and remained in a relationship since long time thereafter, also considering the statement of the victim recorded under Section 183 of the B.N.S.S., from a perusal of which it transpires that they were in a consensual relationship and had established physical relations and when the relationship could not culminate into marriage the present FIR came to be lodged against the applicant, further considering that the victim is a major widow lady, the applicant has no criminal antecedents, the charge-sheet has already been filed before the competent Court and the conclusion of the trial is likely to take considerable time, therefore, without commenting anything on the merits of the case, this Court is inclined to allow the present bail application.
7. Accordingly, the application is **allowed**.
8. Let the Applicant-**Abhay Singh**, involved in Crime No. 92/2026 registered at Police Station Udaipur, District Sarguja (C.G.) for the

offence punishable under Sections 69 and 351(3) of BNS, be released on bail on his furnishing a **personal bond** with **two sureties** in the like sum to the satisfaction of the Court concerned with the following conditions:-

(i) The applicant shall file an undertaking to the effect that he shall not seek any adjournment on the dates fixed for evidence when the witnesses are present in court. In case of default of this condition, it shall be open for the trial court to treat it as abuse of liberty of bail and pass orders in accordance with law.

(ii) The applicant shall remain present before the trial court on each date fixed, either personally or through his counsel. In case of his absence, without sufficient cause, the trial court may proceed against him under Section 269 of Bharatiya Nyaya Sanhita.

(iii) In case, the applicant misuses the liberty of bail during trial and in order to secure his presence, proclamation under Section 84 of BNSS. is issued and the applicant fails to appear before the court on the date fixed in such proclamation, then, the trial court shall initiate proceedings against him, in accordance with law, under Section 209 of the Bharatiya Nyaya Sanhita.

(iv) The applicant shall remain present, in person,

before the trial court on the dates fixed for (i) opening of the case, (ii) framing of charge and (iii) recording of statement under Section 351 of BNSS. If in the opinion of the trial court absence of the applicant is deliberate or without sufficient cause, then it shall be open for the trial court to treat such default as abuse of liberty of bail and proceed against him in accordance with law.

9. Office is directed to send a certified copy of this order to the trial Court for necessary information and compliance.

Sd/-
(Ramesh Sinha)
CHIEF JUSTICE

Kunal