

HIGH COURT OF CHHATTISGARH AT BILASPUR

M.Cr.C. (A) No. 1049 /2015

Vaibhav Chandravansi, S/o. Krishna Kumar Chandravansi, Aged About 32 Years, R/o. 48-A, Plot No. 6, Neharu Nagar (West), Bhilai, Tahsil & District Durg, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through: District Magistrate, Raipur, Office at District Collectorate, Raipur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Praveen Dhurandhar, Advocate.

For Respondent : Ms. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

03/11/2015

1. Apprehending arrest in connection with Crime No.30/2015 registered at Police Station- Mahila Thana Raipur, District Raipur (C.G.) for the offence punishable under Section 498-A/34 of the Indian Penal Code, the applicant has preferred this application under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail.
2. Learned counsel for the applicant submits that the FIR for committing offence under Section 498-A has been lodged as an afterthought and long after the complainant left the matrimonial house and during pendency of the application under Section 9 of the Hindu Marriage Act filed by the applicant and compromise order for grant of maintenance. He further submits that the similarly placed co-accused have been enlarged on bail by the coordinate Bench of this Court in M.Cr.C.No.897/2015 considering the fact that the complainant has left her matrimonial house on 12.09.2012 and the similar allegations are leveled against this applicant also, therefore, he may be enlarged on anticipatory bail.
3. Per contra, the learned State counsel opposes the prayer for grant of anticipatory bail.
4. I have heard learned counsel appearing for the parties and perused the case diary.

5. Taking into fact that the earlier bail application was allowed on the ground that the complainant has left the matrimonial house on 12.09.2012 and thereafter various civil proceedings are pending between the parties, I am inclined to grant anticipatory bail to the applicant.
6. Accordingly, the anticipatory bail application is allowed.
7. It is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail by the officer arresting him on furnishing a personal bond to a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions :
 - (i) that the applicant shall make himself available for interrogation before the investigating officer as and when required;
 - (ii) that the applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;
 - (iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
 - (iv) that the applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge