

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.(A) NO. 1285 of 2015**

1. Mamta Dadsena w/o Ashwani Dadsena aged about 45 years, R/o Amarpuri Chowk, P.S.& P.O. Sundernagar, Civil & Revenue district Raipur (CG)

----Applicant

Versus

1. State of Chhattisgarh, through Thana SHO Amleshwar Civil & District Durg (CG)

----Respondent

For Applicant	: Shri S.K. Dewangan, Advocate
For Respondent	: Shri Aditya Sharma, PL

HON'BLE SHRI JUSTICE CHANDRA BHUSHAN BAJPAI**Order on Board****08/12/2015**

1. Heard the matter finally.
2. By filing this M.Cr.C.(A), the applicant had prayed for anticipatory bail in Crime No.10/2014, PS. Amleshwar, District Durg (CG) for the offence registered against him under Sections 363, 365, 420, 342 & 120-B of the IPC.
3. This is a repeat anticipatory bail application. Earlier M.Cr.C.(A) No. 234/2015 was dismissed as withdrawn on 31st March, 2015 with liberty to file an application under Section 439 Cr.P.C., if so advised. On behalf of the applicant, it is prayed that the parties have arrived in a compromise, which is a change of circumstance, hence, she be given anticipatory bail in the event of arrest.
4. On the other hand, learned counsel for the State opposed the petition.

5. Perused the record.

6. As per order dated 31st March, 2015 in M.Cr.C.(A) No.234/2015, the petition filed by the applicant under Section 438 Cr.P.C. is dismissed as withdrawn as it was prayed that the applicant wants to file a regular bail application under Section 439 Cr.P.C. On the other hand, the applicant is again praying for anticipatory bail under Section 438 Cr.P.C. So far as arguments advanced in this behalf are concerned, looking to the offence registered against the applicant, the matter is not compoundable, even apart from this, the applicant had not filed any such legally admissible document for the same.

7. On due consideration, I am not inclined to release the applicant on anticipatory bail.

8. Consequently, M.Cr.C.(A) No.1285/2015 is dismissed.

Sd/

(Chandra Bhushan Bajpai)
JUDGE