

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 680 of 2015

- 1. Gurupreet D/o Avtar Singh Aged About 20 years R/o Gali No. 3 Infront Of Maharana Pratap Garden, Shyam Nagar, Raipur Civil & Revenue District Raipur Chhattisgarh
- 2. Harvinder Kaur W/o Avtar Singh Aged About 51 Years R/o Infront Of Govt. Bank Main Road, Ward No. 15 Pithora, Police Station & Post Pithora, Civil & Revenue District Mahasamund Chhattisgarh
- 3. Avtar Singh S/o Surjeet Singh Aged About 56 Years R/o Infront Of Govt. Bank Main Road, Ward No. 15 Pithora, Police Station & Post Pithora, Civil & Revenue District Mahasamund Chhattisgarh

---- Applicants

Versus

State Of Chhattisgarh Through : Police Station Telibandha, Raipur, District Raipur Chhattisgarh

---- Respondent

For Applicants	-	Mr. Vikram Dixit, Advocate
For Respondent/State	-	Ms. Shubha Shrivastava, Panel Lawyer
For Complainant/ Objector	-	Mr. Mateen Siddiqui, Advocate with Ms. Ruchi Nagar, Advocate

Order On Board

06/08/2015

Heard

- 1. The applicants are apprehending their arrest in connection with Crime No.43/2015 registered at Police Station-Telibandha, Raipur, District-Raipur (C.G.) for alleged commission of offence under Section 498A, 506 read with Section 34 of IPC.
- 2. Prosecution case is that the applicants and other accused have been harassing and subjected to cruelty the complainant in connection with demand of car, gold chain etc. and she has been subjected to threat, beating etc.
- 3. Learned counsel for the applicants submits that though there existed some dispute mainly because of the reason stated in the minutes of counseling dated 06.12.2014, later on, as the dispute could not be settled, the report has been lodged which includes exaggerated

allegations. It is submitted that the main operative reason for dispute is because of the bad habits of the husband and there is no serious allegation nor any material to show that there was any physical violence resulted in any injury on the complainant.

4. On the other hand, learned State counsel and Objector oppose prayer for grant of anticipatory bail and submits that the complainant has clearly stated that after marriage, she was being continuously harassed and subjected to cruelty at times. She was also assaulted by all the members of the family though the allegation against the husband is little more than what has been alleged against other members. However, all of them, are responsible for harassment.

5. Taking into consideration the nature of allegation, particularly taking into consideration the contents of the minutes of counseling dated 06.12.2014 recorded in the police station and that the FIR was lodged, thereafter in January, 2015 and there is no specific material on record to show any specific injury on the complainant, the application is allowed.

6. It is directed that in the event of arrest of the applicants in connection with the aforesaid offence, the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.20,000/- along with one local surety for the like amount to the satisfaction of the arresting officer and the applicants shall abide by all the following terms and conditions-

- i. that they shall make themselves available for interrogation by a Police Officer as and when required;
- ii. that they 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 them from disclosing such facts to the Court or to any Police Officer.
- iii. that the applicants shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- iv. that they shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-

Manindra Mohan Shrivastava

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