

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 639 of 2015

Vikash Takrani S/o Manohar Lal Takrani Aged About 28 years R/o Naharpara,
Station Road, Raipur, Civil & Revenue District Raipur Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through : Station House Officer, Police Station Ganj,
Raipur, Civil & Revenue District Raipur, Chhattisgarh

---- Respondent

For Applicant	:	Shri P.P. Sahu, Advocate
For Respondent/State	:	Shri Manish Nigam, Panel Lawyer

Order On Board

30/07/2015

Heard.

This application under Section 438 of Cr.P.C. has been filed by the applicant apprehending his arrest in connection with Crime No.53/2015, registered in Police Station- Ganj, Raipur, for alleged commission of offence under Section 498-A, 34 of the IPC.

Case of the prosecution, in brief, is that the applicant used to harass and subject the victim/his wife to cruelty in connection with demand of dowry and other items.

Learned counsel for the applicant submits that after about one year of marriage, there was some dispute between the parties with regard to providing proper facilities to the victim. Victim was insisting to have some more convenient place of living and an issue was born and thereafter, the victim went to her parental house. Since then, dispute is going on. The applicant filed a suit for grant of decree of divorce on 28.7.2012 and then, after one year, application under Section 156 (3) Cr.P.C. was filed before the Magistrate for registration of crime against the applicant.

On the other hand, learned counsel for the State submits that the victim has clearly stated that dowry was demanded, she was asked to bring gold ornaments and she was not being accorded proper facilities in the matrimonial house and was being taunted and harassed.

Taking into consideration the submissions made by learned counsel for the parties, particularly taking into consideration the material in the case diary, nature of allegation and the role alleged to be played by the applicant, I am inclined to protect the

applicant by giving him benefit of anticipatory bail.

The application is accordingly allowed. 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 arresting officer on his 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 with following further conditions that:

- (i) the applicant shall make himself available for interrogation by the police officer as and when required;
- (ii) 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 from disclosing such facts to the Court or to any police officer;

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)

Judge