

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No.506 of 2015

Smt. Shimpi Sharma, aged about 30 years, W/o Sunil Kumar Sharma,
R/o Village Rajkamma Police Station & Tahsil Pali, District Korba (CG)
Civil & Revenue District Korba , (CG)

---- Applicant

Versus

State Of Chhattisgarh through Police Station Katghora, Tahsil Katghora,
District Korba (CG) Civil & Revenue District Korba , Chhattisgarh

---- Respondent

For Applicant	:	Shri Ratnesh Agrawal, Advocate
For Respondent/State	:	R. K. Gupta, Dy.A.G.

Order On Board

02/07/2015

The applicant is apprehending her arrest in connection with Crime No.68/2015 registered at Police Station Katghora, District Korba for alleged commission of offence under Section 420, 406, 409, 120-B, 34 of IPC.

2. Case of the prosecution is that the applicant was involved in diversion of ready to eat food meant to be supplied to Aanganbadi workers.

3. Learned counsel for the applicant submits that the applicant is not involved in the alleged commission of offence. The vehicle, which was taking ready to eat food was intercepted and the applicant was found in the vehicle and merely because one of the vehicle belonged to Sunil Sharma, husband of the applicant and the other applicant happens to be President of Lata Swa Sahayata Samuh, it cannot be assumed that this diversion was at the instance of the applicant.

4. On the other hand, learned State counsel opposed the prayer for grant of bail by submitting that the present is a case, where the applicant was directly involved in the alleged diversion of ready to eat food under public distribution system. It is submitted that the vehicle is registered in the name

of Sunil Sharma, husband of the applicant and it was the driver, who iwas his employee, driving the vehicle. It is further submitted that the applicant is wife of Sunil Sharma and she is the President of Women Self Help Group, who had entered into the agreement for supply of ready to eat, therefore, her involvement is prima facie made out.

5. Taking into consideration the submission of learned counsel for the parties, particularly taking into consideration that the applicant is a lady and she is not directly involved in transportation of ready to food, the application is allowed.

6. It is directed that in the event of arrest of the applicant in connection with the aforesaid offence, she shall be released on bail by the arresting officer on furnishing a personal bond for a sum of Rs.25,000/- with one surety of the like amount to the satisfaction of the arresting officer with following further conditions that:

- (i) the applicant shall make herself 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