

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 667 of 2015

Ashok Kumar Ghritlahre S/o Late Pakku Ram Ghritlahre Aged About 56 years Sub
Divisional Officer (Revenue), Kharsiya, R/o PWD Colony, Madanpur, Kharsiya, District
Raigarh Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Kharsiya,
District Raigarh Chhattisgarh

---- Respondent

For Applicant
For Respondent/State

- Shri B.D. Guru, Advocate
- Ms. Sunita Jain, Panel Lawyer

Order On Board

04/08/2015

Heard.

1. The applicant is apprehending his arrest in connection with Crime No.287/2015 registered at police station – Kharsiya, District-Raigarh for alleged commission of offence under Section 354 of IPC and Section 8 of the Prevention of Children from Sexual Offences Act, 2012.
2. Prosecution case is that the applicant had teased and attempted to outrage modesty of the prosecutrix stated to be 16 years old and working as maid servant.
3. Learned counsel for the applicant submits that present is a case of false implication. He submits that after on 6th of June, 2015, the complainant stopped coming to attend her work and when applicant's wife returned to house on 9th June, 2015, golden bangles were found stolen and thereafter, the matter was reported to police and after the police came, the complainant was brought to his house and enquiry was made from her regarding stolen bangles. A written report was lodged in the police station on 12th of June, 2015, when despite repeated warning, bangles were not returned. It is only thereafter that on 15th June, 2015, the prosecutrix has lodged report against the applicant making vague and general allegation

without any specific date of incident. The applicant is a Government servant and Class-II gazetted officer. In these circumstances, he may be protected.

4. On the other hand, learned State counsel opposes prayer and submits that merely because, the report was lodged in the police station on 15th June 2015, it cannot be said to be a case of false implication because according to prosecutrix, she was being subjected to harassment and teasing by applicant by touching her cheeks since 3 months prior to the date of lodging FIR.

5. Taking into consideration that the report has been lodged against the applicant by prosecutrix, only after allegation of theft of bangles, leveled on the prosecutrix by the applicant and his wife, in respect of which, a written report was lodged on 12th June, 2015 and the allegations are of general nature without any specific incident and that the applicant is a Government servant, the application is allowed.

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

- (i) that the applicant shall make himself available for interrogation by a Police Officer as and when required;
- (ii) that he 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.
- (iii) that he shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that he 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/-

Manindra Mohan Shrivastava

J U D G E