

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 959 of 2015

- Arjun Prasad Dhruv, S/o Late Ram Lal, Aged About 36 Years R/o Block No. 109/ E, Camo-1, Bhilai, Tahsil and District Durg Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Mahila Thana, Durg, District Durg Chhattisgarh.

---- Non-applicant

For Applicant	:	Shri Malay Shrivastava, Advocate.
For Respondent/State	:	Shri Vijay Bahadur Singh, Panel Lawyer
For Objector	:	Shri Jaydeep Singh Yadav, Advocate

Hon'ble Shri Justice I.S. Uboweja

Order on Board

14.10.2015

- 1) The applicant has preferred the instant bail application under Section 438 of the Cr.P.C. for grant of anticipatory bail as he apprehends his arrest in connection with Crime No. 09 of 2015, registered in Mahila Thana, Durg, District Durg (CG), for offence punishable under Section 498-A/34 of the IPC.
- 2) The case of the prosecution, in brief, is that marriage between the complainant and brother of the present applicant was solemnized on 24.05.2014. After marriage, she was subjected to harassment and cruelty by her in-laws, including the present applicant, for want of sufficient dowry.
- 3) Shri Malay Shrivastava, learned counsel appearing for the applicant submitted that allegations against the present applicant are omnibus and general allegations, only to implicate the applicant falsely in the case despite there being

no fault on his part. Learned counsel further submitted that co-accused persons namely, Smt Kuntibai and Smt Indrani Dhruv have been granted bail by the Court below. On this premises learned counsel prays for grant of anticipatory bail to the present applicant.

- 4) On the other hand, Shri Vijay Bahadur Singh, learned Panel Lawyer while admitting the fact of grant of bail to the co-accused persons, vehemently opposed the prayer for grant of bail to the present applicant.
- 5) I have heard learned counsel for the parties and perused the case diary.
- 6) Taking into consideration the facts and circumstances of the case and the material available in the case diary, the fact that there is no evidence against the present applicant, the allegations levelled against him are omnibus & general allegations and also taking into consideration the fact that the co-accused persons have been granted bail by the lower Court, I am of the considered opinion that *prima facie* it is a fit case where the applicant can be extended the benefit of anticipatory bail.
- 7) Accordingly, the application for grant of anticipatory bail is allowed. It is directed that in the event of arrest, the applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety of the like sum to the satisfaction of the Officer arresting him and he shall abide by all the following terms and conditions:
 - (i) that the accused/applicant shall make himself available for interrogation before the concerned Investigating Officer as and when required;
 - (ii) that the accused/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/her from disclosing such facts to the Court or to any police officer;

(iii) that the accused/applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and that the applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-
(I.S.UBOWEJA)
JUDGE

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HIGH COURT OF CHHATTISGARH, BILASPUR

WA No. 334 of 2015

- Gurdeep Singh Sehmi, s/o Mohan Singh Sehmi, age 58 years, r/o NC 117, CSEB Colony (East) PO Korba (TS) 495681, District Korba Chhattisgarh

---- Appellant/ Petitioner

Versus

1. M. P. State Electricity Board, Through The Secretary Shakti Bhawan Nayagaon, Rampur, Jabalpur M.P. 482008
2. Additional Secretary (P)-II, M.P. State Electricity Board Nayagaon Rampur Jabalpur M.P- 482 008
3. Executive Director (Gen) Amarkantak Thermal Power Station M.P. State Electricity Board PO Chachai, 464220, District Shahdol M.P.
4. Chief Engineer (Gen) Chhattisgarh State Electricity Board (East) PO Korba TS 495681, District Korba Chhattisgarh
5. Additional Chief Engineer (Gen) Sanjay Gandhi Thermal Power Station M.P. State Electricity Board PO Birsinghpur 484551, District Shahdol M.P.
6. Superintending Engineer (O&M) Power House No. 2, Amarkantak Thermal Power Station M.P. State Electricity Board PO Chachai 484220 District Shahdol (M.P.)
7. Senior Medical Officer C.S.E.B. (East) Hospital PO Korba (TS) 495681, District Korba Chhattisgarh
8. Welfare Officer, O/o The Chief Engineer (Gen) Chhattisgarh State Electricity Board (East) PO Korba (Ts) 495681, District Korba Chhattisgarh

---- Respondent

For Appellant : Shri Ravish Verma, Advocate
For Respondents- 4, 7 & : Shri Adhiraj Surana, Advocate
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Hon'ble Shri Justice P. Diwaker &
Hon'ble Shri Justice Inder Singh Uboweja

ORDER

26.08.2015

Per **P. Diwaker, J.**

- 8) Being aggrieved by the order dated 24.12.2014 passed by the learned Single Judge in Writ Petition (S) No.5091 of 1998, the appellant has preferred this instant appeal.
- 9) Shri Verma wants to withdraw this appeal with liberty to file appropriate remedy available to the appellant under the law.
- 10) Ordered accordingly.

(P. Diwaker)
JUDGE

(I.S.Uboweja)
JUDGE