

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. (A) No. 486 of 2016**

Manmohan Lal Jangde S/o Feku Ram Jangde Aged About 31 Years
R/o Baradwar Basti, Thana Baradwar, Tehsil Sakti, Civil & Revenue
District Janjgir Champa, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Station
Baradwar, (As Per Rejection Order District Magistrate) Revenue &
Civil District Janjgir Champa, Chhattisgarh.

---- Respondent

For applicant – Shri Punit Ruparel, Advocate.
For Respondent/State – Ms. K. Tripathi Rao, PL.

Hon'ble Shri Justice Goutam Bhaduri**Order****23/06/2016**

1. This application under Section 438 of Cr.P.C. has been filed by the applicant apprehending his arrest in connection with Crime No. 6/2016 registered at Police Station Baradwar, Revenue & Civil District Janjgir Champa (C.G.) for offence punishable under Section 498 (A) read with Section 34 of IPC.
2. As per the prosecution case marriage of the applicant was performed with Rajni Jangde the complainant on 4/05/2015. Subsequent to her marriage she was subjected to torture by the applicant and the other co-accused for demand of dowry of Rs.1 lakh, cooler, TV, fridge etc. and thereafter the wife left the house of the applicant on 11/05/2015. Thereby, the offence is committed.
3. Learned counsel for the applicant submits that applicant has been falsely implicated in the case and immediately after six days of marriage wife has left the house. He submits that during such period all the ceremonial function took place and the conciliation proceeding which are filed would show that initially no report of demand of dowry was made. He

submits that an application under Domestic Violence Act has been preferred by the complainant which is pending. Therefore, learned counsel submits that the applicant may be granted benefit of anticipatory bail.

4. Learned State counsel opposes the prayer for grant of anticipatory bail.

5. I have perused the case diary, statement and the conciliation proceeding. It appears that after marriage of the applicant on 4/05/2015 complainant left the house on 11/05/2015 and she came for six days along with the applicant. Perused the copy of the conciliation proceeding also wherein complainant has stated that complainant wanted to join company of the applicant and also in subsequent proceeding charges have been clamped on each other. Taking into totality of the fact that complainant only remained for six days with the applicant and also considering the documents, I am inclined to extend benefit of anticipatory bail to the applicant.

6. Accordingly, the anticipatory bail application is allowed and 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 officer arresting him on executing a personal bond in sum of Rs.25,000/- with one local surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions:-

- (i) that the applicant shall make himself available for interrogation before the investigating officer as and when required;
- (ii) that 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/her from disclosing such facts to the Court

or to any police officer;

(iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and

(iv) 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.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE