

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.(A) No. 736 of 2016**

1. Smt. Ganesh Kunwar, W/o Shri Ratiram Tandon, Aged About 55 Years, Caste Satnami,

2. Rati Ram Tandon, S/o Late Tijwa Ram Aged About 60 Years, Caste Satnami,

Both are resident of Village Bhilai Bazar, Post Office Bhilai Bazar, Chowki Hardibazar, Police Station Kusmunda, District Korba, Chhattisgarh.

3. Smt. Radha Banjare, W/o Govind Banjare, Aged About 40 Years, Occupation Teacher, Posted At Private School, Presently Resided At Mohalla Ramnagar, Baloda Police Station Baloda, District Janjgir Champa, Chhattisgarh.

4. Smt. Savitri, W/o Shyam Bhushan (wrongly mentioned as Patle in the certified copy of order), Aged About 35 Years, Occupation Shiksha Karmi Grade - I, Takhatpur, Caste Satnami, R/o Khaija Nawapara, Police Station Baloda, District Janjgir Champa, Chhattisgarh.

5. Smt. Beena W/o Dinesh Dhritlahre Aged About 33 Years, Occupation Service, Jila Panchayat Mungeli, Assistant Grade- I I I, Caste Satnami, R/o Village Shringardullapur, Police Station Setganga, District Mungeli, Chhattisgarh.

6. Smt. Neeta Bhardwaj, W/o Khem Raj Bhardwaj Aged About 31 Years, Caste Satnami, Shiksha Karmi Grade - I I I, & Post At Govt. Primary School Achanakpur, Block Podi Uroda, District Korba, Chhattisgarh. Permanent R/o Village Devarmal, Post Office Kudurm, Police Station Urga, District Korba, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh, Through Station House Officer, Police Chowki Hardi Bazar, Police Station Kusmunda, District Korba, Chhattisgarh.

---- Respondent

For applicants –Shri Badal Lal Bhardwaj, Advocate.
For Respondent/State – Shri Arvind Shukla, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

11/08/2016

1. This application under Section 438 of Cr.P.C. has been filed by the applicants apprehending their arrest in connection with Crime No. 73/2016 registered at Police Chowki Hardi Bazar, Police Station Kusmunda, Civil and Revenue District Korba, (C.G.) for offence punishable under Section 498-A,

34 of I.P.C.

2. As per the prosecution case, a report was made by Rashmi Tandon that she was married to Dinesh Tandon on 1/11/2015. Thereafter, she was subjected to torture for demand of dowry for motorcycle and cash. Therefore, report was made.

3. Learned counsel for the applicants submits that the applicants have been falsely implicated in the case, applicant No.1 Smt. Ganesh Kunwar is suffering with cancer, applicant No.2 Rati Ram Tandon has suffered with paralysis whereas applicants No.3, 4, 5 and 6 are sister-in-law residing elsewhere, since wife wanted to stay separate as such report was made by the complainant and the applicants have been falsely implicated in the case and therefore applicants may be granted benefit of anticipatory bail.

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

5. Perused the statement of the victim, FIR and the conciliation proceeding. Considering the general omnibus allegations against the applicants, I am inclined to extend benefit of anticipatory bail to the applicants.

6. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicants in connection with the aforesaid offence, they shall be released on bail by the officer arresting them on each of them executing a personal bond in sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned Investigating Officer. The applicants shall also abide by the following conditions:-

- (i) that the applicants shall make themselves available for interrogation before the investigating officer as and when required;
- (ii) that the applicants 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 applicants shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and

(iv) the applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-

(Goutam Bhaduri)

JUDGE