

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1290 of 2015

- Dinesh Verma S/o Late Mehataru Ram Verma Aged About 33 Years Occupation Contract Computer Operator, Mantralaya, New Raipur, R/o Gayanagar, Ward No. 04, Durg (Chhattisgarh) --- **Petitioner**

Versus

- State of Chhattisgarh through District Magistrate, Durg (Chhattisgarh) --- **Respondent**

For the applicant : Mr. Arvind Dubey, Advocate.

For the Respondent : Ms. Sunita Jain, Panel Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

07.01.2016

1. Apprehending arrest in connection with Crime No. 17 of 2015 registered at Police Station Mahila Thana, Durg (C.G) for the offences punishable under Sections 498-A IPC and Section 4 of the Dowry Prohibition Act, the applicant has filed this application u/s 438 Cr.P.C., for grant of anticipatory bail.
2. As per the prosecution case, the complainant was married to the applicant on 02.05.2014, thereafter, she was subjected to torture by the applicant and his family members for demand of dowry. It is also alleged that the complainant was in service and her salary was also demanded. Consequently they could not go long and ultimately a report was made by the wife that the the applicant and his family members were demanding Rs.4 lakhs and a car from the complainant.
3. Learned counsel for the applicant submits that the complainant was working as Shiksha Karmi Grade-II and she used to stay at her maternal home through out the week and

only on Saturdays and Sundays she used to come and thereafter she used to attend her duty at her place of working which resulted into dispute among the family members. He further submits that the conciliation proceedings were also drawn wherein this fact also came to fore. He further submits that when the dispute aggravated, a false report of demand of dowry has been made against the applicant and his family members. It is further submitted that the other family members i.e., mother-in-law and father-in-law against whom similar allegations were levelled have been enlarged on bail by the learned court below and considering the fact that the applicant has been implicated in this case as false averments have been made against him, he may be enlarged on bail.

4. Per contra, learned State Counsel opposes the prayer for grant of bail.
5. Perused the case diary and the statements. The case diary contains the proceedings of conciliation wherein the complainant and others appeared. Prima facie it appears that no allegations of demand of dowry was made in those proceedings and only general allegations have been made. Primarily it appears that the dispute arose for some other reasons and under the similar circumstances, the bail application of mother-in-law and father-in-law was entered by the court below. Thus, taking into totality of the facts and circumstances, I am inclined to release the applicant on anticipatory bail.
6. Accordingly, the 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 surety each in the like sum to the satisfaction of the officer arresting him or the concerned Investigating Officer. The applicant shall also abide by the following conditions :-

- (i) that he shall make himself available for interrogation before the investigating 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/her from disclosing such facts to the Court or 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 by the said Court till disposal of the trial.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE

Rao