

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C.(A) No. 1339 of 2015

1. Nishikant Singh, S/o. Shri Awdhesh Singh, aged about 28 years, R/o. In-front of State Bank, Tilda, Post Office and Police Station – Newra, District – Raipur (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, through : the Station House Officer, P.S./Chowki-Jutmil (Kotwali, Raigarh) (Kotwali not mentioned in rejection order), Raigarh, District – Raigarh (C.G.)

---- Respondent

For Applicant	: Mr. Shivendu Pandya, Advocate
For Respondent/State	: Ms. Sunita Jain, Panel Lawyer
For Objector	: R.K. Pali, Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

03/02/2016

1. Apprehending arrest in connection with Crime No.962/2015 registered at Police Station/Chowki- Jutmil, Raigarh, District – Raigarh (C.G.), for offence punishable under Section 498(A)/34 of Indian Penal Code and Section 3/4 of Dowry Prohibition Act, the applicant has preferred this application for grant of anticipatory bail.
2. As per the prosecution case, the applicant was married to Rashmi Singh on 30.01.2015, thereafter, she was subjected to cruelty for demand of dowry and ultimately, the report was made and the offence was registered against the applicant.
3. Learned counsel for the applicant would submit that, immediately after the marriage, the applicant was forced to reside separately from

mother and father and also wild allegation were levelled on the applicant. He would further submit that because of such incident, the applicant has also reported the matter many a times to the police and one time she tried to commit suicide by consuming phenyl. It is further submitted that the complainant used to quarrel on trivial issue for which different reports were made. He referred to the reports made by the applicant filed alongwith this application dated 26.03.2015, 28.08.2015 and submit that the complainant was so aggravated and she has some altercation over cooking, she broke the glass of the car, fridge and TV. The counsel further submits that during the counseling also, the complainant has attacked the applicant, which was intervened by the police and he was saved for which a report was made on 26.10.2015. The counsel submits that it is complete case of false implication and therefore, prays that the applicant may be extended the benefit of anticipatory bail.

4. Per contra, the learned State counsel as well as counsel for the objector opposes the prayer for grant of bail.
5. Perused the documents, case diary and the statements. Taking into the allegation levelled against the applicant it can not be stated that custodial interrogation of the applicant may not be required and it is not a case, where the provisions of Section 438 of Cr.P.C. can be extended. Therefore, I am not inclined to grant anticipatory bail to the applicant.
6. Accordingly, the anticipatory bail application is dismissed.

Sd/-
(Goutam Bhaduri)
Judge