

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC(A) No. 109 of 2016

Omprakash Soni S/o Shri Vinayak Lal Soni Aged About 30 Years
R/o Village Sundara, Police Station Somni, District Rajnandgaon,
Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through District Magistrate, Durg, District
Collectorate Durg, Chhattisgarh.

---- Respondent

For applicant– Shri N.S. Dhurandhar, Advocate.
For Respondent/State – Miss. Sunita Jain, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

22/02/2016

1. This application under Section 438 of Cr.P.C. has been filed by the applicant apprehending his arrest in connection with Crime No. 589/15 registered at Police Station Mohan Nagar, Durg (C.G.) for offence punishable under Section 498 A/34 of IPC and Section 4 of Dowry Prohibition Act.
2. As per the prosecution case report was made by the complainant Lali Soni that she had love relation with the applicant and she became pregnant and therefore she forced the applicant to marry and they got married on 30/07/2014 in the Arya Samaj. However, she was not accepted by the family members of the applicant. Subsequently, she was pressurized for demand of dowry by the applicant and his family members.
3. Learned counsel for the applicant submits that the complainant and the applicant belong to different sects and therefore there has been difference arose in between them. It is further submitted that another application has been filed under the domestic violence and the complainant has also filed an application for maintenance wherein maintenance is being paid. He submits that applicant has been falsely implicated in this case and

therefore 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 statement of the complainant, proceedings of the conciliation as also FIR which shows that another report was made by the complainant on 28/01/2015 wherein she was abused in the public and threat was extended for which a separate report was made. Further report was made on 16/12/2015. Taking into such facts and also allegation against the applicant, I am not inclined to extend benefit of anticipatory bail to the applicant.

6. Accordingly, the anticipatory bail application is dismissed.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
JUDGE