

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 33 of 2016

- Sanjay Agrawal S/o Pawan Agrawal Aged About 32 Years
Caste Agrawal, R/o Sadar Road, Ambikapur, Thana & Tah.
Ambikapur, Civil and Rev. Distt. Sarguja, Distt. Sarguja
Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh Through, Police Station Gandhinagar,
Ambikapur, Distt. Sarguja Chhattisgarh. --- **Respondent**

For the applicant	:	Ms. Sharmila Singhai, Advocate
For the Respondent	:	Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

04.02.2016

1. This is second bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 187 of 2015 registered at P.S. Gandhi Nagar, Ambikapur (C.G) for the offence punishable under Sections 354(A)(1), 354(D)(1)(2), 509, 509(B), 504, 506(B) of IPC and Section 67(B) of Information Technology Act.
2. As per the prosecution case, the applicant has expressed his love to the complainant but it was refused. Subsequently, in order to tarnish the image of victim, the applicant sent obscene material and messages to the father of complainant and thereby the applicant has committed the above offences.
3. Learned counsel for the applicant submits that the complainant and the applicant belong to the same caste and they were in love relations and because of some fraction took place between them, the report has been made. He

further submits that the parties entered into compromise for which an application was filed before the Court below and no objection has been preferred by the complainant, if the bail is granted.

4. On earlier date, learned State Counsel was directed to verify as to whether any compromise has been effected. After verification he submits that as per the report, certain compromise is said to have been effected in the social meeting.
5. Taking into consideration the fact that the charge sheet in this case has been filed and further development of fact that the compromise has been effected between the parties in the community meeting and looking to the detention period of the applicant as he is stated to be in jail since 14.10.2015, I am inclined to release him on bail. Accordingly, the bail application is allowed.
6. The applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He is directed to appear before the trial Court as and when directed by the said Court.
7. C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE