

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.(A) No. 500 of 2016**

Supreet Singh S/o Manjit Singh Aged About 35 Years, R/o M I G-2,
House No. 22/3, C.G. Housing Board, Bhilai, Tahsil & District Durg,
Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Of
Police Station City Kotwali, Bilaspur, District Bilaspur, Chhattisgarh.

---- Respondent

For applicant – Shri Jitendra Gupta, Advocate.
For Respondent/State – Ms. Shobha Kashyap, Dy.G.A.
For complainant – Shri R.S. Patel, Advocate.

Hon'ble Shri Justice Goutam Bhaduri**Order****27/07/2016**

1. This application under Section 438 of Cr.P.C. has been filed by the applicant apprehending his arrest in connection with Crime No. 84/2016 registered at Police Station City Kotwali, Bilaspur District Bilaspur (C.G.) for offence punishable under Section 498(A) r/w 34 of the Indian Penal Code.
2. As per the prosecution case, complainant Taranjeet Kaur was married to the applicant in the year 2008. Thereafter, she joined her matrimonial home in the year 2008. Subsequently, demand of Rs.40,000/- was made and which was paid. Subsequently, wife was subjected to torture for demand of dowry. Therefore, report was made.
3. Learned counsel for the applicant submits that the wife has filed an application for restitution of conjugal rights and decree was passed in favour of the wife and in order to create pressure on the husband, this report has been made. It is further contended that wife has also filed an application under Section 125 of the Cr.P.C. and the wife was living separately from 2009 and the report was made in 2015, therefore the applicant may be granted benefit of anticipatory bail.

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

5. Perused the statement of the wife. Considering the degree of allegation and the fact that wife appears to be living separately from 2009 and a case is also pending u/s 125 of Cr.P.C. initiated by wife, I am inclined to extend benefit of anticipatory bail to the applicant.

6. Accordingly, the anticipatory bail 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 local surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions:-

- (i) that the applicant shall make himself available for interrogation before the investigating officer as and when required;
- (ii) that the applicant 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 applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) the applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.
- (v) the applicant shall not leave the country without permission of the trial court.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
JUDGE

