

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3110 of 2016

1. Dwijram Dhruv S/O Jagtaram Dhruv Aged About 53 Years R/O Mudibhawar (Parsaguda), Police Station Magarlod, Tahsil Magarlod, District Dhamtari Chhattisgarh
2. Nirmala Bai W/O Dwijram Dhruv Aged About 50 Years R/O Mudibhawar (Parsaguda), Police Station Magarlod, Tahsil Magarlod, District Dhamtari Chhattisgarh

---- Applicants

Versus

- State Of Chhattisgarh Through : Station House Officer, Police Of Police Station - Magarlod, District - Dhamtari Chhattisgarh

---- Respondent

For Applicants : Mr. Anil Gulati, Advocate

For Respondent/State : Mr. Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

28.06.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested on 13-03-2016 in connection with Crime No. 48 of 2016 registered at Police Station Magarlod, District Dhamtari (CG) for the offence punishable under Section 306 read with Section 34 of IPC.
2. The case of the prosecution, in brief, is that the marriage of deceased Nageshwari was solemnized with the applicants' son Nehru Singh Dhruv and soon after the marriage, present applicants and their son started harassing and treated her with cruelty as she was unable to earn which led her to commit suicide.
3. Learned counsel appearing for the applicants would submit that the applicants have not committed any offence and they have been falsely implicated in the case. He would further submit that present applicants are father-in-law and mother-in-law of the deceased. He further submits that the charge-sheet has been filed and the applicant are in jail since 13-3-2016 and no further investigation is necessary, therefore, they may be released on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard the counsel appearing for the parties and perused the case diary and documents.
6. Taking into consideration the facts and circumstances of the case, nature and gravity of the offence, there is general and omnibus allegations against the present applicants and considering the fact that charge-sheet has been filed and the applicants aged about 53 and 50 years are father-in-law and mother-in-law of the deceased who are in jail since 13-3-2016, I am inclined to release applicants on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed. It is directed that applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. They shall appear before the trial court as and when directed by the said Court.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju