

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3420 of 2016

- Madhuri Gendle w/o Girish Gendle Aged About 32 Years
Occupation House Wife, R/O Jayram Nagar Road, Masturi, P.S.
Masturi, District Bilaspur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through P.S. Masturi, District Bilaspur,
Chhattisgarh.

---- Respondent

For Applicant : Mrs. Kiran Jain, Advocate

For Respondent/State : Mr. O.P. Sharma, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

08.07.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 23-5-2016 in connection with Crime No. 168 of 2016 registered at Police Station Masturi, District Bilaspur (CG) for the offence punishable under Sections 306 read with Section 34 of the IPC.
2. As per case of the prosecution, the deceased namely Keshavram and Prema Bai, who were father-in-law and mother-in-law of the applicant committed suicide by consuming poison as they were retired persons and they were subjected to torture and cruel treatment given by their son and daughter-in-law, applicant. Subsequently, father-in-law and mother-in-law of the applicant died on 2-2-2016 and 6-2-2016.
3. Learned counsel appearing for the applicant would submit that the applicant has been falsely implicated in the case, no abetment has been caused to deceased and all the statements which have been recorded would show that the

incident, if any, happened that was happened due to trivial matter and it was prior to three years of the incident, therefore, the allegations cannot be attributed to the applicant. She would further submit that the charge-sheet has been filed in this case and the applicant is in jail since 23-5-2016, therefore, she may be released on bail

4. *Per contra*, learned State counsel opposing the bail application would submit that there is sufficient evidence to connect the applicant with the crime in question.
5. I have heard learned counsel for the parties and perused the case diary and other documents.
6. Perusal of the statement of Gens Gendle, nephew of the deceased would show that the deceased persons were made to drink urine of their son and further deceased were made to bow down to them and their son used to stand before them in naked position and they were subjected to extra torture which led them to commit suicide.
7. Taking into consideration the facts of the case and the manner in which the offence was committed by the applicant and further considering the statement of the nephew of the deceased, I am not inclined to release the applicant on bail.
8. Accordingly, the bail application filed by the applicant under Section 439 of the Cr.P.C, is liable to be and is hereby dismissed.

Sd/-
(Goutam Bhaduri)
Judge

Raju