

HIGH COURT OF CHHATTISGARH AT BILASPUR

M.Cr.C.(A) No. 846 /2016

1. P. Venkatramana @ P.V. Ramana, S/o. Late Shri P. Narsimham, Aged About 63 Years (wrongly not been mention impugned order @ P.V. Ramana).
2. Smt. P. Poornadevi, W/o. Shri P.V. Ramana, Aged About 55 Years.
Both R/o. D. No. 38 - 21-47/1, 104 Aria in font Newalget, Opposite Street Old Police Station to 5th Town Kancharapalam (Andhra Pradesh).

---- Applicants

Versus

State Of Chhattisgarh, Through Police Station City Kotwali, Distt. Bilaspur, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Dheerendra Pandey, Advocate.
For Respondent	:	Ms. Shobha Kashyap, Dy. Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

22/09/2016

1. Apprehending arrest in connection with Crime No.230/2016 registered at Police Station- City Kotwali, District Bilaspur (C.G.) for the offence punishable under Section 498 A r/w 34 of Indian Penal Code, the applicants have preferred this application under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail.
2. As per the prosecution case, the complainant Smt. P. Neetu was married to P. Rajshekhar wherein an amount of Rs. 10 Lakhs was demanded by way of dowry and certain amounts were deposited over a period of time in the Account of the father-in-law. Thereafter, the demand continued and the complainant was subjected to assault and abused by the husband and also the family members and thereafter, on 17.12.2014 an amount of Rs.22 Lakhs was demanded. Thereby the offence is committed.
3. Learned counsel for the applicants would submit that after the marriage a petition was filed by the husband under Section 12 of

Hindu Marriage Act and subsequently at the behest of the Hon'ble Supreme Court the parties decided to settle the matter. Thereafter, the amicable settlement could not be took place and the complaint has been filed before the police. He further submits that the applicants are the mother-in-law & father-in-law and the false and general allegations have been made against the present applicants, therefore, the applicants may be enlarged on anticipatory bail.

4. Per contra, learned State counsel opposes the prayer for grant of anticipatory bail.
5. Perused the case diary and the documents. Perusal of the documents filed along-with the bail application would show that earlier also there has been a dispute between the parties and they tried for the settlement but it did not took place. Perused the report made by the complainant wherein general allegations have been attributed against the present applicants by the complainant Smt. P.Neetu. Considering the nature of allegations made and the background of this case and the fact that the applicants are father-in-law, aged about 63 years and mother-in-law, aged about 55 years, I find it to be a fit case where the benefit of Section 438 of Cr.P.C. can be extended to the applicants.
6. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicants in connection with the aforesaid offence, they shall be released on bail by the officer arresting them on furnishing a personal bond to a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned Investigating Officer. The applicants shall also abide by the following conditions :
 - (i) that the applicants shall make themselves available for interrogation before the investigating officer as and when required;

- (ii) that the applicants 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 applicants shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that the applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Sd/-
(Goutam Bhaduri)
Judge