

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1016 of 2016

1. Lalit Singhal S/o Late Gulab Singhal Aged About 50 Years R/o - Near Agrasen Building, Naila, Police Station - Janjgir, Distt. Janjgir - Champa Chhattisgarh
2. Pinki Singhal W/o Lalit Singhal Aged About 45 Years R/o - Near Agrasen Building, Naila, Police Station - Janjgir, District Janjgir - Champa Chhattisgarh

--- **Applicants**

Versus

- State of Chhattisgarh through Station House Officer, Police Station : Janjgir, District Janjgir - Champa Chhattisgarh ---
Respondent

For the applicants : Ms. K. Tripti Rao, Advocate.
For the State : Mr. Sunita Jain, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

11.11.2016

1. Apprehending arrest in connection with Crime No. 339 of 2006 registered at Police Station Janjgir, Distt. Janjgir-Champa (C.G) for the offence punishable under section 306 & 34 IPC, the applicants have filed this application u/s 438 of the Code of Criminal Procedure.
2. As per the prosecution case, one Vimleshwari Yadav committed suicide by setting herself ablaze on 22.05.2006 for which the FIR was registered. It is alleged that the deceased was working as sales girl in the cloth shop at Janjgir owned by the present applicants and they have made false allegations that she has committed theft and threatened to lodge report against here, therefore, the deceased committed suicide.
3. Learned counsel for the applicants would submit that the

applicants have not abetted the deceased to commit suicide and the deceased was working in their shop and certain theft was committed and when the matter was enquired, she committed suicide and the applicants have not abetted the crime. It is further contended that the applicants were not aware of the fact that the case is pending against them and only when the warrant was executed, the applicants came to know that the allegations have been attributed to them for such offence.

4. Per contra, learned State Counsel opposes the prayer and would submit that both the applicants were absconding after the incident and direct allegations have been attributed to them.
5. Perused the case diary and the documents as also the statements of witnesses.
6. It appears that the charge sheet was filed in absence of the applicants on 14.12.2006.
7. Considering the nature of allegations and the fact that applicant no.1 has been shown to be absconder I am not inclined to admit him to anticipatory bail. Accordingly, bail application of applicant no.1 Lalit Singhal is rejected.
8. So far as it relates to applicant no.2 Smt. Pinki Singhal, it is stated that she is domestic lady and was not absconding. Considering the only fact that applicant no.2 being domestic lady no further custodial interrogation may be required, I am inclined to admit her to anticipatory bail. Accordingly her application is allowed.

9. Accordingly, the application of applicant No.2 Smt. Pinki Singhal is allowed and it is directed that in the event of her arrest in connection with the aforesaid offence, she will be released on bail by the officer arresting her on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the officer arresting her or the concerned Investigating Officer. She will also abide by the following conditions :-

- (i) that she will make herself available for interrogation before the investigating officer as and when required;
- (ii) that she will 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 any police officer;
- (iii) that she will not act in any manner which will be prejudicial to fair and expeditious trial; and
- (iv) that she will appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE