

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7782 of 2016

- Badroon Qureshi W/o Late Ishak Qureshi Aged About 65 Years R/o Ahmad Nagar, Near Badi Masjid, Camp No.2 Bhilai, Police Station Chhavani, Tahsil & District Durg, Chhattisgarh.

---- **Petitioner**

Versus

- State Of Chhattisgarh Through District Magistrate Durg District Durg, Chhattisgarh.

---- **Respondent**

For Applicant : Mr. Arvind Dubey, Advocate

For Respondent/State : Mrs. Sunita Jain, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

07-12-2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 10-9-2016 in connection with Crime No. 383 of 2016, registered at Police Station Chhavani, District Durg (CG) for the offence punishable under Section 304-B/34 of the IPC.
2. Case of the prosecution, in brief, is that one Rahnuma Bano committed suicide by hanging on 10-6-2016. She was married to Ibrar Quresh, who is the son of present applicant on 26-3-2012. It is alleged that after marriage present applicant along with her son had demanded different amounts at different points of time from the deceased, therefore, she was subjected to cruelty and consequently she died unnatural death within seven years of her marriage and thereby the aforesaid offence was committed.

3. Learned counsel appearing for the applicant would submit that the applicant has been falsely implicated in the case, the entire allegations have been attributed to Ibrar Qureshi, who is the son of the present applicant, wherein it is alleged that he used to sell all the gifted items of household of the marriage and one allegation of demand of Rs. 1,00,000/- was made against the preset applicant along with her son, except this no other allegations have been attributed to the present applicant. He would further submit that the applicant is a woman aged about 65 years, charge-sheet has been filed in this case, she is in jail since 10-9-2016 and no further investigation is required, therefore, she may be released on bail.
4. On the other hand, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties, perused the case diary and other documents.
6. Perused of the statement which was merg intimation recorded on 23-6-2016 and statement of Mustaq Qureshi, who is brother of the deceased. Prima facie, it appears that main allegations have been attributed to the son of the present applicant.
7. Taking into consideration the facts and circumstances of the case, nature of allegations leveled against the present applicant, considering the statement of the brother of the deceased and further considering the age of the applicant who appears to be 65 years and also the fact that charge-sheet in this case has been filed and she is in jail since 10-9-2016, this court is inclined to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the applicant shall be

released on bail on her furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for her appearance as and when directed.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju