

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 389 of 2017

Smt. Tara Bai Dewangan W/o Ashok Kumar Dewangan, Aged About 50 Years R/o Village Belar, Old Hatwarapara, Belargaon, Post Office & Police Station Sihawa, District Dhamtari Chhattisgarh (Residence Of The Applicant As Per Chhallan)
---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Sihawa, District Dhamtari Chhattisgarh
---- Respondent

For Applicant	:	Shri Shivendu Pandya, Advocate
For Respondent/State	:	Shri Chandresh Shrivastava, Panel Lawyer

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

30/01/2017

Heard.

1. The applicant has been arrested on the allegation that the applicant along with other accused abetted commission of suicide of the deceased Timeshwari in connection with Crime No.115 of 2016 registered in Police Station- Sihawa, District- Dhamtari (C.G.) for the alleged commission of offence under Sections 363, 366, 376, 306, 506 & 120-B of IPC and Sections 4 & 6 of the Protection of Children from Sexual Offences Act, 2012.
2. The case of the prosecution is that the deceased had an affair with the son of the applicant and when she conceived, the applicant insisted Hemant and her parents to accord proper status to the deceased in their family. It is alleged that though the deceased was kept in the house of Hemant with his parents, she was subjected to torture so much so that she committed suicide.
3. Learned counsel for the applicant submits that as far as the applicant is concerned, the allegations against the applicant are exaggerated. In order to

avoid any dispute, the applicant with her husband disagreed to allow the deceased to reside with her son without solemnization of marriage because out of their affair, deceased had conceived. It is further submitted that the investigation is complete and charge-sheet has been filed.

4. On the other hand, learned counsel for the State opposes the prayer and submits that according to the statement of the mother and father of the deceased, the applicant was also involved in harassment which led to commission of suicide.
5. Taking into consideration that the allegation of harassment is based on the statement of the parents of the deceased without any specific details and that the investigation is complete, charge sheet has been filed and as the applicant is being a lady, she is not likely to abscond or tamper with the prosecution witnesses, the application is allowed.
6. It is directed that the applicant shall be released on bail on her furnishing a personal bond in the sum of Rs.20,000/- along with two local sureties for the like amount to the satisfaction of the concerned trial Court with following further conditions:
 - (i) The applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
 - (ii) The applicant shall appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge