

NAFR

**HIGH COURT OF CHHATTISGARH, BILASPUR****M.Cr.C. No. 3758 of 2017**

Smt. Seema Kewat Wd/o Late Ramesh Kewat, Aged About 36 Years  
R/o Ward No. 17, Purani Basti Near At Vimal Takies Manendragarh,  
Police Station Manendragarh, District Korea, Chhattisgarh.

**---- Applicant****Versus**

State Of Chhattisgarh Through Incharge Police Station Manendragarh,  
District Korea, Chhattisgarh.

**---- Respondent****And****M.Cr.C. No. 3904 Of 2017**

Smt. Seema Kewat Wd/o Late Ramesh Kewat, Aged About 36 Years  
R/o Ward No. 17, Purani Basti Near At Vimal Takies Manendragarh,  
Police Station Manendragarh, District Korea, Chhattisgarh.

**---- Applicant****Vs**

State Of Chhattisgarh Through Incharge Police Station Manendragarh,  
District Korea, Chhattisgarh.

**---- Respondent****And****M.Cr.C. No. 3901 Of 2017**

Smt. Seema Kewat Wd/o Late Ramesh Kewat, Aged About 36 Years  
R/o Ward No. 17, Purani Basti Near At Vimal Takies Manendragarh,  
Police Station Manendragarh, District Korea, Chhattisgarh.

**---- Applicant****Vs**

State Of Chhattisgarh Through Incharge Police Station Manendragarh,  
District Korea, Chhattisgarh.

**---- Respondent****And****M.Cr.C. No. 4709 Of 2017**

Govind Jaiswal S/o Mohanlal Jaiswal Aged About 46 Years R/o Old  
Basti, Manendragarh, District- Korea, Chhattisgarh.

**---- Applicant****Vs**

State Of Chhattisgarh Through Incharge Police Station Manendragarh,  
District Korea, Chhattisgarh.

**---- Respondent**

---

For the Applicants : Ms. Usha Chandrakar and Shri Awadh  
Tripathi, Advocates.  
For the Respondent/State : Shri Ashok Swarnakar, P.L.

---

**Hon'ble Shri Justice Rajendra Chandra Singh Samant**

**ORDER**

**04.12.2017**

1. All these applications are being decided by this common order as they arise from the same incident. These are the first bail applications of the applicants filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime Nos.433 of 2016, 431 of 2016 and 432 of 2016, registered at Police Station – Manendragarh, District – Koriya, Chhattisgarh for the offence punishable under Sections 323, 354, 376(2)(f)(i)(k)(n), 109 and 506 of the Indian Penal Code and Sections 6, 7 and 8 of the Protection of Children from Sexual Offences Act, 2012.

2. Ms. Usha Chandrakar, learned counsel for the applicant submits that applicant – Smt. Seema Kewat in M.Cr.C. Nos. 3758 of 2017, 3904 of 2017 and 3901 of 2017 is in jail since 20.12.2016 and she has been falsely implicated in these cases. It is submitted that the applicant is the mother of complainants – Ku. Jyoti Kewat, aged about 15 years in Crime No. 433 of 2016, Ku. Roopa Kewat, aged about 16 years in Crime No. 431 of 2016 and Ku. Mamta Kewat, aged about 18 years in Crime No. 432 of 2016. It is also submitted that as alleged it was the applicant who had illicit relationship with co-accused - Govind Jaiswal and the daughters of the applicant did not like this and as such, they lodged FIR and made false allegations against the applicant, after taking considerable time and making sufficient deliberations

which is totally false and baseless. Hence, it is prayed that the applicant in M.Cr.C. Nos. 3758 of 2017, 3904 of 2017 and 3901 of 2017 be benefited with grant of bail.

3. Shri Awadh Tripathi, learned counsel for applicant - Govind Jaiswal in M.Cr.C. No. 4709 of 2017 submits that the applicant has been falsely implicated in this case and he is in jail since 20.12.2016. The applicant is a political person and also running a society Mahila Ekta Samiti Society. As per the statement in FIR, the date of incident is of December, 2013 and the FIR has been lodged on 17.12.2016 which clearly shows that this is a false and concocted case. The applicant and the co-accused had some relationship between them because of which the daughter of co-accused complainant – Ku. Mamta Kewat was not happy and she made a false complaint. Hence, it is prayed that applicant – Govind Jaiswal in M.Cr.C. No. 4709 of 2017 be benefited with grant of bail.

4. On the other hand, learned counsel for the State opposes the bail applications and the arguments submitted in this respect. It is submitted that in Crime No. 433 of 2016, the victim aged about 15 years, daughter of accused – Seema Kewat, has alleged that her mother had illicit relationship with applicant – Govind Jaiswal and she wilfully abetted the co-accused to outrage her modesty. In Crime No. 431 of 2016, the prosecutrix aged about 16 years has stated that it was due to abetment given by her mother, co-accused - Govind Jaiswal committed rape with her. Similar allegation has been made by the complainant in Crime No. 432 of 2016, aged about 18 years that on abetment given by her mother she was subjected to forceful

sexual intercourse by applicant Govind Jaiswal without her consent and willingness. It is also submitted that this is an offence of depraved morality wherein the mother has herself abetted the offence to be committed against her own daughters. Hence, for these reasons, none of the applicants deserves to be enlarged on bail.

5. Heard counsel for both the parties and perused the case diary.

6. Considering the submissions made and the substance in the case-diary of Crime Nos. 433 of 2016, 431 of 2016 and 432 of 2016, I am of the considered view that applicants – Smt. Seema Kewat and Govind Jaiswal in all these cases are not entitled for grant of regular bail.

7. Accordingly, the bail applications of applicants – Smt. Seema Kewat and Govind Jaiswal in (M.Cr.C. Nos.3758 of 2017, 3901 of 2017, 3904 of 2017 and 4709 of 2017) filed under Section 439 of the Cr.P.C. are rejected.

**Sd/-**

**(Rajendra Chandra Singh Samant)**  
Judge