

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 612 of 2017

1. Girija Khobragade W/o Ganpat Rao Aged About 54 Years R/o Santoshipara Camp-02 Bhilai, Police Station Chhawni, Tahsil & District Durg Chhattisgarh.
2. Ganpat Rao Khobragade S/o Late Chaitram Khobragade Aged About 60 Years R/o Santoshipara Camp-02 Bhilai, Police Station Chhawni, Tahsil & District Durg Chhattisgarh. --- **Applicants**

Versus

State of Chhattisgarh through Station House Officers Police
Station Chhawni, Tahsil & District Durg Chhattisgarh. ---
Respondent

For the applicants : Mr. F. S. Khare, Advocate.
For the State : Mr. Suryakant Mishra, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

29.11.2017

1. Apprehending arrest in connection with Crime No. 258 of 2017 registered at Police Station Chhawni, Tahsil & District Durg (C.G) for the offences punishable u/ss 498-A, 306/34 of IPC, the applicant has filed this application u/s 438 of the Code of Criminal Procedure.
2. As per the prosecution case, one Indu Khobragade committed suicide by setting herself on 29.05.2017. She was married to Shiv Kumar who is son of the present applicants on 11.05.2005. Thereafter, she was subjected to torture for demand of dowry, consequently she got separated with her husband and subsequently when she again joined the matrimonial home, the said torture and harassment continued and eventually she committed

suicide on 29.05.2017. It is alleged that the present applicants and other family members used to torture and abet the deceased to commit suicide.

3. Learned counsel for the applicants submits that the applicants are mother-in-law and father-in-law and omnibus allegations have been attributed to them and the substantive allegations, if any, are against the husband. He further submits that the applicants are aged persons and are suffering from various diseases as would be evident from the documents enclosed with the bail application. He further submits that further interrogation of the applicants is not necessary, therefore, no purpose will be served to keep them in custody. It is submitted that charge sheet has been filed and the applicants may be admitted to anticipatory bail.
4. On the other hand, learned State Counsel opposes the bail application.
5. Perused the case diary and the statement of one Ravi Sonwani. It appears that the omnibus allegations have been attributed to the present applicants.
6. Considering the nature of allegations and the fact that the applicants are aged persons and charge sheet has been filed and no further investigation is necessary, I am inclined to admit the applicants to anticipatory bail.
7. Accordingly, the 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 each of them executing a personal bond in sum of Rs.25,000/- with one surety

each in the like sum to the satisfaction of the officer arresting them or the concerned Investigating Officer. The applicants shall also abide by the following conditions :-

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

C.c. as per rules.

Sd/-

**GOUTAM BHADURI
JUDGE**