

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1259 of 2016**

- Satnam Singh Saluja S/o Ravindra Singh Saluja Aged About 28 Years Permanent Residence L 186 To 188, Dindayal Puram, Khandwa, Thana Moghat Road, District Khandwa, Madhya Pradesh. Presently Residing At 702, Perstige Tower, Chala, Vapi, Thana Vapi, District Valsad, Gujrat.

---- **Petitioner****Versus**

- State of Chhattisgarh Through Station Incharge, Mahila Thana, Bilaspur, Chhattisgarh.

---- **Respondent**

For Applicant	:	Mr. Arvind Shrivastava, Advocate
For Respondent/State	:	Mr. Ashok Swarnakar, Panel Lawyer
For objector	:	Mr. M.K. Bhaduri, Advocate.

]Hon'ble Shri Justice Goutam Bhaduri**Order on Board****09-03-2017**

1. Apprehending arrest in connection with Crime No. 6 of 2016 registered at Police Station Mahila Thana, Bilaspur (CG) for offence punishable under Sections 498/A, 294, 506, 34 of the IPC, the applicant has preferred the bail application under Section 438 of the Cr.P.C. for grant of anticipatory bail.
2. As per case of the prosecution, on 6-10-2016 a report was made by the complainant Harlin Kaur Saluja that she was married to the present applicant on 20-1-2016 and thereafter when she entered into her matrimonial house, she was subjected to torture on trivial issues and demand for car was made by her husband and since the demand was eventually not fulfilled, cruelty aggravated and she was forcefully left her husband and thereby the aforesaid offence was committed.

3. Learned counsel appearing for the applicant would submit that the applicant has been falsely implicated which would be evident from first conciliation proceeding which was drawn on 30-9-2016 wherein she made a statement and thereafter in each conciliation proceeding allegation aggravated which would show that false allegations have been attributed to the present applicant. He would further submit that after his wife left him, an application for restitution of conjugal rights was filed, only on trivial issues, general allegations have been made against the applicant, therefore, considering all the facts and circumstances, the applicant may be extended the benefit of Section 438 of the Cr.P.C..
4. Learned State counsel as well as counsel for the objector oppose the prayer for grant of anticipatory bail.
5. I have heard learned counsel for the parties, perused the case diary and documents.
6. Perused the statement of the victim girl and also conciliation proceeding wherein general allegations have been attributed to the present applicant.
7. Taking into consideration all the facts and circumstances of the case, nature of allegations leveled against the applicant and further considering the statement of the victim girl and conciliation proceedings, I am of the considered opinion, prima facie, that it is a fit case where benefit of Section 438 can be extended to the applicant.
8. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail by the officer arresting him on his executing a personal bond in the sum of

Rs.25,000/- with one local surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions:

- (i) that the applicant shall make himself available for interrogation before the Investigating Officer as and when required.
- (ii) that the applicant 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 to any Police Officer;
- (iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) the applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju