

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 537 of 2018**

- Smt. Chaitmati Dhruv W/o Ramchandra Dhruv, aged about 45 years, R/o Jail Colony, Sarangarh, District Raigarh (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh - Through : Station House Officer, Police Station Sakri, District Bilaspur (C.G.)

---- Respondent

For Applicant. : Shri Rajesh Kumar Sharma, Advocate.
For Respondent. : Shri Anil Pilley, Dy. A.G.

Hon'ble Shri Justice Pritinker Diwaker**Order on Board****03/07/2018**

1. This application under Section 438 of the Code of Criminal Procedure has been filed by the applicant who is apprehending her arrest in connection with Crime No.66/2018 registered at Police Station, Sakri, District Bilaspur (C.G.) for commission of the offence punishable under Section 306 r/w section 34 IPC.
2. Case of the prosecution is that on 20.06.2017 the marriage of deceased Sarita Dhruv was solemnized with Dilip Dhruv, son of applicant and she committed suicide on 02.12.2017 by hanging herself.
3. Learned counsel for the applicant submits that the main allegations are against the son of the applicant and only allegation against the applicant is that she used to ill-treat the deceased. It has been argued that even if the entire prosecution case is taken as it is, the ingredients of Section

107 are not attracted to substantiate the offence under Section 306 IPC. Lastly, it has been argued that the applicant is a lady, her arrest is not required and she would co-operate in the case.

4. Counsel for the State however opposes the application for anticipatory bail.
5. After hearing counsel for the parties and considering the facts and circumstances of the case, in particular the nature of evidence available against the applicant, this Court is of the considered opinion that it is a fit case to grant anticipatory bail to the applicant. Accordingly, the application is allowed. It is directed that in the event of arrest of the applicant in connection with aforesaid crime number, she shall be released on bail on her furnishing a personal bond in the sum of Rs.1,00,000/- with one surety for the like sum to the satisfaction of the concerned arresting/investigating officer or the court concerned, as the case may be, with the following terms and conditions:
 - (i) that the applicant shall make herself available for interrogation before the concerned 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 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) that 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.

Sd/-

(Pritinker Diwaker)
Judge

vijay