

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C.(A). No. 480 2018**

Shubhankar Singh, S/o. Shri Krishan Kumar Singh, aged about 21 years,
R/o. 97-A, Atarasuiya, P.S. - Atarasuiya, Tehsil & District – Allahabad (U.P.)

----Applicant**Versus**

State Of Chhattisgarh, Through : Police Station Sarkanda, District-
Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	: Ms. Ruchi Nagar, Advocate
For Respondent/State	: Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****25/07/2018**

1. Apprehending arrest in connection with Crime No.148/2017, registered at Police Station – Sarkanda, District– Bilaspur (C.G.) for offence punishable under Section 384, 504, 506 of the Indian Penal Code and Section 3 & 4 of Dowry Prohibition Act, the applicant has preferred this application for grant of anticipatory bail.
2. It is submitted by the learned counsel for the applicant, that the applicant has been falsely implicated in this case. No case is made out against the applicant on the basis of the material present in the case diary. Presently, the compromise has been entered into between the applicant and the complainant of the case, before that this applicant has filed a writ petition before this Court for quashment of the proceedings against him, in which the complainant has appeared and on the basis of the statement given by her, by the orders of this Court, statement of the compromise has been recorded by the Registry. Certified copy of the same is

produced for perusal of this Court. Therefore, it is prayed that the applicant may be enlarged on anticipatory bail.

3. Per contra learned State counsel opposes the application for grant of bail and the submissions made in this respect.
4. I have heard the learned counsel for the parties and perused the case diary and the documents placed on record.
5. According to the prosecution case, the case against the applicant is this that his marriage was negotiated and fixed with Sneha Tamrakar. With respect to that marriage, some gifts were given to the applicant at the time of the engagement. Later on applicant started making demand of dowry and as the complaint side did not agree to fulfill the demand, the marriage negotiated was broken. Hence, the FIR has been lodged.
6. Considered the submissions made and the contents of the case diary. Considering the entire material present in the case diary and also perused the certified copy of the statement recorded by the Registry of this Court of the complainant Babita Tamrakar in W.P. (Cr.) No.264/2017 in which she has stated about the compromise between her and the applicant and she wish to withdraw the case against him. Hence, after over all consideration, this Court is inclined to extend the benefit of Section 438 of Cr.P.C. to the applicant.
7. Accordingly, the anticipatory bail application filed under Section 438 of Cr.P.C. is allowed.
8. 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 executing a personal bond in sum of

Rs.25,000/- with one 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) that 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/-
(Rajendra Chandra Singh Samant)
Judge

Balram