

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 621 of 2018

1. Ekta @ Priyal Nagwani, aged about 33 years W/o Virendra Nagwani,
2. Virendra Nagwani, aged about 36 years, S/o Shri Parmanand Nagwani
Both are R/o Chauthram Mandi, Amitesh Nagar, House No. 116, Scheme No. 103, Indore, District- Indore (M.P.).

---- Applicants

Versus

State of Chhattisgarh Through- P.S. Civil Lines, Bilaspur, District- Bilaspur (C.G.).

---- Respondent

For Applicant	:	Mr. Sunil Otwani, Advocate
For Respondent	:	Mr. U.K.S. Chandel, PL

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

05/07/2018

1. Heard.
2. The applicants have filed this application for grant of anticipatory bail as they are apprehending their arrest in connection with Crime No. 597/2017 registered at police station – Civil Lines, District- Bilaspur (C.G.) for the offence punishable under Section 498-A/34 of IPC.
3. As per prosecution story complainant- Roma Lalwani had lodged a written complainant before the police station, wherein it was mentioned that her marriage was solemnized with one Kapil Kriplani on 24/08/2015. The present applicants are sister-in-law (Nand) and brother-in-law (husband of Nand) of the complainant. It has been

alleged by the complainant that she was subjected to harassment for demand of dowry by her husband, father-in-law, mother-in-law, sister-in-law and brother-in-law (present applicants). On the basis of said report, offence under Section 498-A/34 of IPC was registered against the present applicants and other co-accused persons.

4. Learned counsel appearing on behalf of the applicants submits that the applicants are innocent and have not committed any offence as alleged by the complainant. They have been falsely implicated in the present case. He further submits that the complainant had lived at her matrimonial house i.e. Udaipur, Rajasthan. So far as the present applicants are concerned, they are residing at Indore and had never gone to Udaipur and Bilaspur with an intention to make any demand of dowry. He further submits that one more complaint was made by the complainant before the police Station- Pratap Nagar, Udaipur, Rajasthan, which was made on 02/11/2017. In that complaint not a single allegations had been made regarding demand of dowry and harassment against the present applicants. He further submits that Kapil Kriplani, husband of the complainant has already been granted bail by the trial Court, therefore, looking to the above facts of the case, the applicants may be extended the benefit of anticipatory bail.
5. Learned counsel appearing on behalf of the State opposes the said application.
6. Considering the facts and circumstances of the case, particularly considering that the main accused- Kapil Kriplani, husband of the complainant has already been granted regular bail by the trial Court itself and also considering the earlier report dated 02/11/2017 made by

the complainant at Udaipur against the present applicants wherein not a single allegation regarding demand of dowry and harassment was made, without further commenting on merit of the case, I am inclined to release the applicants on anticipatory bail.

7. Accordingly, the anticipatory bail application is allowed.
8. It is directed that in the event of arrest, the applicants shall be released on bail on each of them furnishing personal bond in the sum of Rs.10,000/- with one surety each for the like sum to the satisfaction of the officer arresting them and they shall abide by all the following terms and conditions:
 - i. That, the accused/applicants shall make themselves available for interrogation before the concerned Investigating Officer as and when required;
 - ii. The accused/applicants 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. The accused/applicants shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
 - iv. The applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.
9. Certified copy, as per rules.

Sd/-
Judge
Arvind Singh Chandel