

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 687 of 2018

Pushpasagar @ Pushkar Vinayak, S/o Shri Parshuram Vinayak, aged about 33 years, R/o Village- Ranitarai, behind Gayatri Temple, P.O. & P.S.- Ranitarai, District- Durg (C.G.).

---- Applicant

Versus

State of Chhattisgarh Through- Station House Officer, Police Station- Mahila Thana, Raipur, District- Raipur (C.G.).

---- Respondent

For Applicant	:	Mr. V.R. Tiwari, Advocate
For Respondent	:	Mr. Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board

01/08/2018

1. Heard.
2. The applicant has filed this second application for grant of anticipatory bail as he is apprehending his arrest in connection with Crime No.35/2017 registered at Police Station- Mahila Thana, Raipur (C.G.) for the offence punishable under Sections 377 and 498-A/34 of the IPC.
3. First anticipatory bail application of the applicant was dismissed as withdrawn on 02/04/2018 in MCRCA No. 94/2018.
4. Case of the prosecution in brief is that the marriage of the present applicant along with complainant- Suman Verma was solemnized on 04/02/2016 at Raipur. On 25/09/2017, the complainant lodged a report in the police station alleging that after marriage she was subjected to cruelty by the present

applicant, her father-in-law and mother-in-law namely- Parshuram and Pramila. It was further alleged the present applicant had also committed unnatural sexual intercourse with the complainant i.e. wife. On the basis of the said report, offence was registered.

5. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated in the present case. He is a government servant. He further submits that the applicant and the complainant have entered into a compromise and have already settled their dispute, and at present they are residing together. Some other litigation, which were pending between them, have also been settled. He further submits that since no dispute remains in between them, therefore, the present applicant may be extended the benefit of anticipatory bail.
6. On the other hand, learned counsel appearing on behalf of the State has opposed the bail application.
7. Taking into consideration the submissions of both the parties, particularly the fact that both (the complainant and the applicant) have entered into a compromise and they are residing together and no dispute is left between them, I am inclined to extend the benefit of anticipatory bail to the applicant.
8. Accordingly, the anticipatory bail application is allowed.
9. It is directed that in the event of arrest, the applicant shall be released on bail on his furnishing a bond in the sum of Rs.25,000/- with one surety for the like sum to the satisfaction of

the officer arresting him and he will abide by all the following terms and conditions:

- i. That, the accused/applicant shall make himself available for interrogation before the concerned Investigating Officer as and when required;
- ii. The accused/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. The accused/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.

10. Certified copy, as per rules.

Sd/-
Judge
Arvind Singh Chandel

Rahul