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HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 894 of 2018

- Paramjeet Singh Khanduja S/o Shri Ranjit Singh Khanduja, Aged About 34 Years, R/o Mohall Chowk, P. S. Amroha Nagar, District Amroha U. P., Uttar Pradesh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Saraswati Nagar, Raipur District Raipur Chhattisgarh, District : Raipur, Chhattisgarh

---- Non-applicant

For Applicant – Shri Keshav Prasad Gupta, Advocate.

For Non-applicant/State – Shri Rahul Tamaskar, Panel Lawyer.

Shri Yogesh Pandey, Advocate for the objector.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

29-08-2018

1. Apprehending arrest in connection with Crime No.80/2017, registered at Police Station – Saraswati Nagar, Raipur District Raipur, Chhattisgarh for offence punishable under Section 498-A, 506/34 of the IPC, the applicant has preferred this application for grant of anticipatory bail.

2. It is submitted by learned counsel for the applicant that the applicant is brother-in-law of the complainant and has been falsely implicated in this case. He is not one of the party to the offence committed. Further development is this, that in Cr.M.P. No.1295 of 2017 filed by the applicant and others before this Court, the dispute between the applicant and the co-accused persons with the complainant, wife of co-accused Harpreet Singh is to be settled through mediator, which has been recorded in the order dated 26-06-2018. Hence, under these circumstances, it is prayed that the applicant may be benefited with grant of anticipatory bail.

3. Learned counsel for the State/non-applicant opposes the application.

4. Learned counsel for the objector/complainant after adopting the argument advanced by the State counsel submits that no case is made out for

grant of anticipatory bail.

5. Heard learned counsel for the parties and perused the case diary.

6. Marriage of co-accused Harpreet Singh was performed with complainant Gurmeet Kour on 03-02-2015. When the complainant started residing in her matrimonial home she was subjected to torture and cruelty for demand of dowry, because of which, she left her matrimonial home and has lodged the FIR against this applicant and co-accused persons. Hence, this case.

7. Considered on the entire material present in the case diary and also considering this fact that there is possibility of settlement between the applicant and co-accused persons with the complainant in this case, hence, keeping in view the guidelines laid down by Hon'ble the Supreme Court in case of Arnesh Kumar Vs. State of Bihar, reported in (2014) 8 SCC 273, and Rajesh Sharma & Ors. Vs. State of U.P. & Ors., reported in 2017 (8) SCALE 313, I am of this view that this applicant should be benefited with grant of anticipatory bail.

8. Accordingly, the anticipatory bail application is allowed. 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.

9. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Aadil