

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRCA No. 1167 of 2018

1. Harish Kriplani S/o Late Shri Asumal Kriplani Aged About 61 Years R/o E-26, A/b, Shiv Mandir Road, E- Class, Pratap Nagar, Udaipur, Rajasthan.
2. Smt. Maya Kriplani W/o Shri Harish Kriplani Aged About 57 Years R/o E-26, A/b, Shiv Mandir Road, E- Class, Pratap Nagar, Udaipur, Rajasthan.

---- Applicants

Versus

- State Of Chhattisgarh Through SHO, Police Station- Civil Lines, Bilaspur, District- Bilaspur, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Sunil Otwani, Advocate.
For Respondent/State	: Shri Bhaskar Payashi, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

06/10/2018

1. Heard.
2. The applicants have filed this application for grant of anticipatory bail as they are arrested in connection with crime no. 597/2017, registered at Police Station Civil Lines, Distt. Bilaspur (C.G.) for the offence punishable under Section 498-A read with Section 34 of the IPC.
3. As per the prosecution story, complainant Roma Lalwani has 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 the father-in-law and mother-in-law of the complainant. It has been alleged by the complainant that she was subjected to harassment for demand of dowry by her husband, brother-in-law, sister-in-law and the present applicants. On the basis of said report, offence under Section 498-A read with Section 34 of the IPC has been registered against the present applicants and the other co-accused persons.

4. Learned counsel appearing on behalf of the Applicants submits that applicants are innocent and have been falsely implicated in the present case, he further submits that earlier on 02.11.2017, one more complainant was made by the complainant before the police station Pratapnagar, Udaipur (Rajasthan), in that complainant, she has not mentioned anything for demand of dowry and harassment against the present applicants. Learned counsel further submits that the husband of the complainant Kapil Kriplani has already granted regular bail by the Trial Court, other co-accused Ekta @ Priyal Nagwani and Virendra Nagwani have also been granted benefit of anticipatory bail by this Court vide order dated 05.07.2018 passed in MCRCA No. 621/2018. Therefore, to the above facts of the case, the present applicants may be extended the benefit of anticipatory bail.
5. Per contra, learned counsel appearing on behalf of State opposes the bail application.
6. I have heard learned Counsel for both the parties.
7. Considering the facts and circumstances of the case, particularly, evidence collected by the prosecution and further considering the fact that the co-accused/Husband has already granted regular bail by the learned Trial Court and other co-accused persons namely Ekta @ Priyal Nagwani and Virendra Nagwani sister-in-law and brother-in-law of the complainant have also been granted benefit of anticipatory bail by this Court, further considering the fact that in earlier report made by the complainant dated 02.11.2017 at Pratapnagar, Udaipur (Rajasthan) wherein, not a single allegation made by her against the present applicants regarding demand of dowry and harassment, therefore, without further commenting on merits of the case, I am inclined to release the applicants on anticipatory bail.
8. Accordingly, the anticipatory bail application is allowed.
9. 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 made 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 o the trial.

10. Certified copy, as per rules.

Sd/-

(Arvind Singh Chandel)
Judge

Shubham