

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 742 of 2017**

- Smt. Nivedita Dalal W/o Late Devashish Dalal, Aged About 42 Years R/o 13 B, K Pocket, Maroda Sector, Police Station Newai, District Durg, Chhattisgarh, Civil and Revenue District Durg.

---- Applicant

Versus

- State of Chhattisgarh/ The District Magistrate, District Durg, Through The Police Station Newai, District Durg, Chhattisgarh

---- Respondent

For Applicant	:	Shri Raza Ali, Advocate
For Respondent-State	:	Shri S.K. Mishra, PL for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****19/04/2018**

1. This application under Section 438 of the Code of Criminal Procedure has been filed by the applicant apprehending her arrest in connection with Crime No. 170/2017 registered at Police Station Newai, District Durg (C.G.) for the offence punishable under Section 306 IPC.
2. As per the prosecution case, on 08.06.2017 the husband of the applicant namely Devashish Dalal committed suicide by hanging. It is alleged that the present applicant being the wife of the deceased used to torture him and abetted him to commit suicide.
3. Learned counsel for the applicant would submit that the applicant has been falsely implicated in this case as the deceased was the only earning member in the family, as such due to some financial dispute the incident happened. Therefore, he prays that the applicant may be given the benefit

of anticipatory bail.

4. Per contra, learned State counsel opposes the prayer for grant of anticipatory bail.
5. Perused the documents and the case-diary. It appears that the written report was made by the father and mother of the deceased on 18.07.2017 and merged statements of Manish Kumar Dalal and Sonali Dalal were also recorded. Considering the statements and the facts of this case, I am inclined to allow this anticipatory bail application.
6. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicant, she shall be released on anticipatory bail on her executing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the arresting officer with the following conditions:-
 - (i) that the applicant shall make herself available for interrogation before the investigation 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 them by the said Court till disposal of the trial.

Sd/-

Goutam Bhaduri
Judge

Ashu