

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 3556 of 2019**

Vishnu Aadil S/o Shri Kunard @ Punard Aadil Aged About 27 Years R/o Serway Ward No. 09, Police Station Tilda Newra, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Police Station Tilda Newra, District Raipur Chhattisgarh., District : Raipur, Chhattisgarh.

---- Respondent

For the Applicant : Shri Pragalbha Sharma, Advocate.
For the Respondent/State : Shri Subhash Yadav, Dy. G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****23.07.2019**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.76 of 2019, registered at Police Station – Tilda Newra, District – Raipur, Chhattisgarh for the offence punishable under Sections 306 and 498A of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 28.2.2019 and has been falsely implicated in this case. It is true that the applicant used to have some quarrel with the deceased but this does not amount to abetment to commit suicide. The trial of the case is likely to take some time for its final disposal. Hence, for these reasons, it is prayed that

the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that there is evidence of cruelty imparted by the applicant to the deceased. Hence, the applicant is not entitled for grant of regular bail.

4. Heard counsel for both the parties and perused the case diary.

5. The deceased and the applicant were married since about six years and have a child of about four years of age. It is alleged that the applicant used to level allegation on the character of the deceased and quarreled with her causing her mental and physical torture. On the date of incident i.e. 26.2.2019, the applicant and the deceased both quarreled for the same reason, thereafter, the deceased immolated herself and she died on 27.2.2019. Statement of the deceased was recorded before her death in which she held the applicant responsible for the commission of suicide.

6. Considered the entire material present in the case-diary and also considering the fact that the trial against the applicant is likely to take sometime for its final disposal, I feel inclined to grant bail to the applicant in this case.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge