

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3585 of 2019

Chameli Kaushik W/o Shri Gopal Kaushik Aged About 45 Years R/o Village Kaya,
Police Station Chakarbhata, District Bilaspur Chhattisgarh., District : Bilaspur,
Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station
Chakarbhata, District Bilaspur Chhattisgarh., District : Bilaspur, Chhattisgarh

For Applicant	:	Shri Ali Asgar with Shri Chandrashakher Kaushik, Advocates
For State	:	Shri Saleem Kazi, Dy.A.G.

S.B. Hon'ble Mrs. Justice Rajani Dubey

Order On Board

27/05/2019

Heard.

1. The applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing her on regular bail during trial in connection with Crime No.68/2019 registered at Police Station- Chakarbhata, Bilaspur (CG) for the offence punishable under Sections 304 (B) and 306 IPC.
2. Case of the prosecution, in brief, is that the victim- Mahima Kaushik committed suicide in her matrimonial house. It is alleged that the applicant, who is mother-in-law of the deceased, used to harass the deceased for not bringing sufficient dowry.
3. Learned counsel for the applicant submits that the applicant has not committed any offence. She has been falsely implicated in the case even though no incriminating material was found against her. He submits that even if the entire case of the prosecution is taken as it is, no case for commission of offence under Section 304-B IPC is made out. The FIR itself has been lodged

after a long delay and there is no explanation offered for it. The applicant is in jail since 8.5.2019, therefore, under these circumstances, she may be enlarged on bail.

4. On the other hand, learned counsel for the State opposed the bail application.
5. Taking into consideration the submissions made by learned counsel for the parties, considering the nature of allegation and further considering the material available in the case diary, I am of the opinion that present is the fit case, in which, the applicant should be enlarged on regular bail.
6. Accordingly, the application is allowed. It is directed that on furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court for her appearance as and when directed, the applicant shall be released on bail, subject to following conditions:-

(i) That, the accused/applicant shall make herself available for interrogation before the concerned Investigating Officer as and when required and 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.

(ii) That, the accused/applicant shall not act in any manner, which will be prejudicial to fair and expeditious trial.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Vacation Judge