

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1143 of 2019**

- Jawaharlal Rajput S/o Dauram Rajput Aged About 31 Years R/o Village Nawagaon (Baikat) Tahsil and Thana Lormi, District Mungeli, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Lormi, District Mungeli, Chhattisgarh.

---- Respondent

For Applicant	: Shri Ajit Singh, Advocate.
For Respondent/State	: Shri Amit Kumar Verma, P.L.
For Objector	: Shri Basant Dewangan, Advocate.

Hon'ble Shri Justice Arvind Singh Chandel**Order On Board****22/10/2019**

1. The Applicant has preferred this first bail application under Section 438 of Cr.P.C. for apprehending his arrest in connection with Crime No. 98/2019 registered at Police Station Lormi, District – Mungeli, (C.G.) for the offence punishable under Section 354 of IPC and Section 3(1)(B) of SC/ST (Prevention of Atrocities) Act.
2. In this case, age of the Complainant/prosecutrix at the relevant time was about 21 years. As per the prosecution story, Applicant is a Computer Operator, working in Forest Office, Lormi. Complainant/Prosecutrix is also a Forest Guard, working in the Office of Forest Department. On 11.03.2019, Complainant/prosecutrix lodged a report alleging therein that on 02.03.2019 at about 1:30 pm, Applicant caught hold her hands and forcefully tried to outrage her modesty. On the basis of the said, offence has been registered against the present Applicant.

3. Learned Counsel appearing for the Applicant submits that the Applicant is innocent and has been falsely implicated in the present case. He further submits that virtually, Applicant has communicated the show cause notice to the prosecutrix as directed by the higher Officer but Prosecutrix denied the contents of the show cause notice and consequences between them altered the hot talk and as a result of which she lodged false and fabricated report against present Applicant. Therefore, *prime facie*, no offence under Section 354 of I.P.C. can be made out against the present Applicant. He also submits that Applicant and Prosecutrix have settled their matter and Prosecutrix has no objection in granting anticipatory bail to the Applicant. Therefore, Applicant may be granted the benefit of anticipatory bail.
4. Learned Counsel appearing for the State and Objector oppose the bail application. Counsel for Objector has admitted the fact that both the parties have settled their dispute and now prosecutrix does not want to press her Complaint and also she has no objection on grant of anticipatory bail to the Applicant.
5. I have heard learned Counsel appearing for the parties and perused the material available with due care.
6. Taking into consideration the submissions put-forth on behalf of the parties, considering the facts and circumstances of the case and further considering the fact that F.I.R. has been lodged on 11.03.2019 and dispute between both the parties has been settled, therefore, without further commenting on other merits of the case, I am inclined to extend the benefit of anticipatory bail to the present Applicant.
7. Accordingly, the bail application is allowed.
8. It is directed that in the event of arrest of the Applicant in connection with the aforesaid crime, he shall be released on anticipatory bail on furnishing a personal bond in the sum of Rs. 20,000/- with one solvent surety for the like sum to the satisfaction of the Arresting

Officer/Presiding Officer of the concerned trial Court. He shall also abide by all the following terms and conditions :

- (i) He 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 from disclosing such fact to the Court,
- (ii) He shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- (iii) He shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-
(Arvind Singh Chandel)
Judge