

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1863 of 2019**

1. Abdul Rashid Qureshi S/o Abdul Hafij Aged About 64 Years R/o Shivdhari, Pratappur Naka, Police Station Gandhi Nagar, Ambikapur, District Sarguja, Chhattisgarh.
2. Smt. Swarnlata Sunita @ Shahnaj Qureshi W/o Abdul Rashid Qureshi Aged About 57 Years R/o Shivdhari Pratappur Naka, Police Station Gandhi Nagar, Ambikapur, District Sarguja, Chhattisgarh.

---- Applicants**Versus**

- State of Chhattisgarh Through Station House Officer, Police Station Sarsinva, District Balodabazar Chhattisgarh.

---- Respondent

For Applicants	: Shri Rahim Ubwani, Advocate.
For Respondent/State	: Shri Ajay Kumrani, P.L.
For Objector	: Shri Purnendra Khichariya, Advocate

Hon'ble Shri Justice Arvind Singh Chandel**Order On Board****09/12/2019**

1. The applicants have preferred this first bail application under Section 438 of Cr.P.C. for apprehending arrest in connection with Crime No. 283/2019 registered at Police Station Sarsinva, District – Balodabazar, (C.G.). for the offence punishable under Sections 498-A, 294, 323, 506, 34 of Indian Penal Code and Section 4 of Muslim Women (Protection of Rights on Marriage) Act, 2019.
2. In this case, applicant No. 1 & 2 are the father-in-law and mother-in-law of the complainant Ashma Khan respectively. Marriage of Aashma Khan was solemnized with the co-accused Washim Qureshi i.e. son of the applicants on 30.09.2018. Complainant Ashma Khan filed a written

complaint on 05.09.2019 alleging therein that despite of giving dowry by her parents, she has been harassed for demand of dowry by applicants and by her husband. On 03.09.2019, husband of the complainant left her at her parental house against her wish. It is alleged that her husband has given divorce to her in phone call. On the basis of the above complaint, offence has been registered.

3. Learned Counsel appearing for the applicants submits that the applicants are innocent and have been falsely implicated in the present case. He further submits that only general allegations have been made by complainant against applicants. He further submits that applicant Nos. 1 & 2 are aged about 64 and 56 years respectively. Applicant No. 1 is a retired government officer and Applicant No. 2 is working as Principal in Government School. Therefore, it is prayed that present applicants may be granted benefit of anticipatory bail.
4. Learned Counsel appearing for the State and Objector oppose the bail application.
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, evidence collected by the prosecution and further considering the facts that only general allegations have been made against applicants and main allegation is against son of the applicants, therefore, without further commenting on other merits of the case, I am inclined to extend the benefit of anticipatory bail to the present applicants.
7. Accordingly, the bail application is allowed.
8. It is directed that in the event of arrest of the applicants in connection with the aforesaid crime, they shall be released on anticipatory bail on each of them 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. They

shall also abide by all the following terms and conditions :

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

Sd/-
(Arvind Singh Chandel)
Judge