

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRCA No. 68 of 2020**

1. Pawan Sharma S/o Late Kalicharan Sharma, Aged About 65 Years

2. Smt. Kanta Sharma W/o Pawan Sharma Aged About 62 Years

Both R/o Ward No.04, Baniyapara, Tilda, District- Raipur, Chhattisgarh, 493114

---- Applicants**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station Tilda Neora, Tilda, District- Raipur, Chhattisgarh

---- Respondent**MCRCA No. 95 of 2020**

- Smt. Tripati Sharma W/o Priyank Sharma Aged About 38 Years R/o Ward No. 04, Baniyapara, Tilda, District Raipur Chhattisgarh – 493114.

----Applicant**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station Tilda Neora, Tilda, District Raipur Chhattisgarh

---- Respondent**MCRCA No. 97 of 2020**

1. Pramod Sharma S/o. Pawan Sharma, Aged About 42 Years

2. Priyank Sharma S/o Pawan Sharma, Aged About 40 Years

Both Residents Of Ward No. 04, Baniyapara, Tilda, District Raipur Chhattisgarh 493114

---- Applicants**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station Tilda Neora, Tilda, District Raipur Chhattisgarh

---- Respondent

For Applicants	Dr. NK Shukla, Senior Advocate with Mr. Shailendra Shukla, Advocate
For Respondent	Ms. Veena Nair, Dy. AG
For Objector	Mr. Awadh Tripathi, Advocate

SB: Hon'ble Mr. Justice Prashant Kumar Mishra

Order On Board

16/6/2020

1. Heard.
2. These are the three bail applications filed under Section 438 of the Code of Criminal Procedure filed by the applicants, who are apprehending their arrest in connection with Crime No.513/2019 registered at Police Station Tilda Neora, Tilda, District Raipur for the offence punishable under Sections 306, 498-A, 34 of the IPC.
3. The marriage between the deceased and Pramod Sharma (applicant No.1 in MCRCA No.97 of 2020) was solemnized in the year 2003. The deceased committed suicide on 28.11.2019 i.e. after 16 years of marriage. There are no allegations of harassment, torture and commission of cruelty after marriage neither there is evidence as to the act constituting abatement to commit suicide, which happened on the date of the incident.

4. Considering that the marriage had taken place about 16 years back and there is no evidence of commission of torture or cruelty on the date of commission of suicide, I am of the opinion that present is a fit case to extend the benefit of Section 438 of Cr.PC to the applicants.
5. Accordingly, the applications are allowed and it is directed that in the event of arrest of these applicants, they shall be released on anticipatory bail on each of them executing a personal bond for a sum of Rs.50,000/- with one surety each in the like sum to the satisfaction of the Arresting Officer with the following conditions :-
 - (i) they shall make themselves available for interrogation by a Police Officer as and when required;
 - (ii) 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 for disclosing such facts to the Court or to any Police Officer.

6. Certified copy as per rules.

Sd/-

(Prashant Kumar Mishra)

Judge

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