

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 145 of 2020

- Sajan Singh S/o Babulal, Aged About 45 Years Cast Gond, R/o Village Lainga Bagbudi, Thana Pasan, District Korba Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through District Magistrate Korba, Through Police Station Pasan, District Korba Chhattisgarh

---- Respondent

For Applicant	:	Mr. Vikash Pandey, Advocate.
For Respondent/State	:	Mr. H.S. Ahluwalia, Dy. A.G.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

16/06/2020

Heard.

1. The applicant is apprehending his arrest in connection with Crime No.108/2019 registered at police station– Pasan, District- Korba, (C.G.) for alleged commission of offence under Section 306 of Indian Penal Code.

2. Prosecution case is that the wife of the applicant committed suicide by burning and her daughter also died of burning. Allegation against the applicant is that by torturing and cruelty applicant abetted commission of suicide.

3. Learned counsel for the applicant would submit that there is no specific material to constitute a case of abetment to commit suicide and merely because, applicant's wife committed suicide and died of burning, it is not sufficient to make out a case for commission of offence under Section 306 IPC for abetment of suicide. It is stated that the deceased was not his married wife but he was only residing with her having a relationship. He used to remain outside in connection with his work therefore there is no material to make out the case of abetment to commit suicide.

4. On the other hand, learned counsel for the State opposes the bail application.

5. Having considered the submission of learned counsel for the parties and particularly taking into consideration that the allegations are serious and that because of torture and cruelty, wife of the applicant has committed suicide, I am not inclined to allow the application.

6. Therefore, the application is rejected.

Sd/-

(Manindra Mohan Shrivastava)
Judge

Ravi