

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No.219 of 2020

1. Faguram Sahu, S/o Matturam Sahu Aged About 50 Years R/o Shankar Para New Khursipaar Bhilai, Tehsil And District Durg Chhattisgarh
2. Dhaniya Sahu W/o Faguram Sahu Aged About 48 Years R/o Shankar Para New Khursipaar Bhilai, Tehsil And District Durg Chhattisgarh.,

---- Applicants

Versus

State Of Chhattisgarh Through Police Station Khursipaar Bhilai, District Durg Chhattisgarh., District : Durg, Chhattisgarh

---- Respondent

For Applicants	:	Mr. Goutam Khetrapal, Advocate.
For Respondent/State	:	Ms. Hamida Siddiqui, Dy. A.G.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

17/06/2020

Heard.

1. The applicants, father-in-law and mother-in-law, are apprehending their arrest in connection with Crime No.26/2020 registered at police station – Khursipaar Bhilai, District Durg (C.G.) for alleged commission of offence under Section 498-A, 506/34 of IPC.
2. Prosecution case is that the marriage of Soniya was solemnized with Dinesh on 05.02.2018. It is alleged that Soniya was subjected to cruelty in connection with demand of dowry by her husband and in-laws, due to which, she was brought back to her parental house on 18.10.2019.
3. Learned counsel for the applicants submits that the allegations are false and exaggerated. He would submit that the allegation of cruelty is afterthought. There are certain disputes, due to which, Soniya left matrimonial house and the applicants and her husband Dinesh has filed an application under Section 9 of the Hindu Marriage Act for restitution of conjugal rights. Therefore, in view of the above, the application of in-laws may be allowed.
4. Learned State counsel opposes the prayer and submits that according to FIR and the statements, not only husband but in-laws were also engaged in

harassing and subjecting Soniya to violence and cruelty of different form.

5. Taking into consideration the submission of learned counsel for the parties, further that the allegations are general in nature and that present applicants are mother-in-law and father-in-law and further that a civil dispute is also pending in the Family Court, present is a fit case for grant of anticipatory bail. Accordingly, the application is allowed.

6. Accordingly, it is directed that in the event of arrest of the applicants in connection with the aforesaid offence, they shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- along with one local surety for the like amount to the satisfaction of the arresting officer and the applicants shall abide by all the following terms and conditions -

- (i) that the applicants shall make themselves available for interrogation by a Police Officer as and when required;
- (ii) that 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 them from disclosing such facts to the Court or to any Police Officer.
- (iii) that they shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that they shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-

(Manindra Mohan Shrivastava)

J U D G E

Rekha