

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 272 of 2020

- Saurabh Shukla S/o Vinod Shukla Aged About 32 Years R/o Q. No. A - 306, Shiv Complex, Kapa, Mowa, Raipur, Tahsil And District Raipur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Mahila Police Station Raipur, Tahsil And District Raipur Chhattisgarh

---- Respondent

For Applicant	:	Mr. B.D. Guru, Advocate.
For Respondent/State	:	Mr. Vimlesh Bajpai, G.A.
For Objector	:	Mr. Akhand Pratap, Advocate appears on behalf of Mr. Sanjay Agrawal, Advocate.

Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

22/06/2020

Heard.

1. The applicant is apprehending his arrest in connection with Crime No.8/2020 registered at Police Station– Mahila Police Station: Raipur (C.G.) for alleged commission of offence under Sections 498-A & 506/34 of the Indian Penal Code.

2. The prosecution case is that applicant, the husband, harassed and tortured his wife-complainant in many ways raising demand of dowry of Rs.5 Lacs. The allegations are against the father-in-law and mother-in-law both.

3. Learned counsel for the applicant submits that the allegations against the applicant are vague and general in nature. No specific injury has been reported. He would submit that earlier because of the dispute, father of the applicant lodged report on 13.09.2019 that the complainant is threatening to commit suicide followed by report dated 10.07.2019 by the applicant that wife is threatening to lodge report and only thereafter on 13.10.2019, report was lodged in the police station. He would submit that the parents of the applicant have already been granted anticipatory bail. He also submits that in these

circumstances, he may be protected by anticipatory bail order.

4. On the other hand, learned State Counsel and learned counsel for the Objector oppose the prayer by submitting that there are specific allegations of commission of offence. It is submitted that the complainant was mal-treated and tortured by the husband and family members towards demand of dowry. The cruelty had virtually driven her to commit suicide. She is not being taken care by her husband. It is also submitted that when written report was lodged in the police station and counselling was arranged on two occasions, the applicant never appeared, therefore, finally the police registered offence.

5. Taking into consideration the nature of allegations, particularly taking into consideration that no specific injury has been reported and also taking into consideration that parties have lodged report against each other on various occasions and when the husband did not attend counselling proceedings, FIR was lodged, present is a fit case for grant of anticipatory bail. The bail application is accordingly allowed.

7. Accordingly, it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail on his 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 applicant shall abide by all the following terms and conditions -

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

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge