

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1713 of 2020

- Smt. Kamla Gupta, W/o Late Mr. Vijay Gupta Aged About 65 Years R/o Ward No. 03, Kharora, District Raipur Chhattisgarh.

---- Petitioner

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Kharora, District Raipur Chhattisgarh.

---- Respondent

For Applicant	: Mr. Harshwardhan Jaiswal, Advocate.
For State/respondent	: Mr. H.S. Ahluwalia, Dy. Adv. General.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

15/05/2020

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 on behalf of the applicant for grant of regular bail to him as he is in custody in connection with Crime No.460/2019 registered at Police-Station-Kharora, District-Raipur(C.G.) for the offence punishable under Sections 306, 34 of IPC.
2. It is submitted by the learned counsel for the applicant, that the applicant has been falsely implicated in this case. The applicant is in jail since 28.11.2019. The allegation made against her in the FIR is baseless and charge-sheet has been filed, hence, it is prayed that she may be enlarged on regular bail.
3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect. It is submitted

that the allegation against the applicant is of serious in nature, therefore, no case is made out for grant of bail.

4. I have heard the learned counsel for both the parties and perused the case diary.
5. According to the prosecution case, the deceased Preeti Gupta was daughter-in-law of this applicant. She was being tortured by the applicant and other family members soon after the marriage since long and the duration of marriage about more than 7 years, on the date of incident. An incident of quarrel had taken place between the deceased, the applicant and others thereafter the deceased committed suicide by hanging herself. Hence, this case.
6. Considering that the applicant is a woman and the trial against her is likely to take some time, therefore, I feel inclined to allow the bail application of this applicant.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on her furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for her appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge