

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3131 of 2020**

- Ashish Dongre S/o Sheshram Dongre, aged about 35 years, R/o Pipartola, Police Station & Tahsil Birsa, District Balaghat (M.P.)

---- Petitioner**Versus**

- State Of Chhattisgarh Through : Police Station Salhewara, District Rajnandgaon (C.G.)

---- Respondent

For Applicant	:	Shri Hemant Kesharwani, Advocate
For Respondent	:	Shri Sameer Sharma, Dy. G.A.

Hon'ble Smt Justice Rajani Dubey**Order on Board****22/06/2020**

1. Heard.
2. Admit.
3. The applicant has preferred this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is arrested in connection with Crime No.21/2020, registered at Police Station – Salhewara, District Rajnandgaon (C.G.) for the offence punishable under Section 306 IPC.
4. The allegation against the present applicant is that he was pressurizing deceased Priyanka Vaidya over mobile phone for performing marriage with him, else he will tarnish her image. Due to this, deceased Priyanka Vaidya consumed poisonous substance. Initially, on 06.01.2020, she was taken to Govt. Hospital, Chhuikhadan and discharged on 09.01.2020. Thereafter, she again taken to Hospital at Durg, from where she was shifted to AIMS Raipur, where she died on 15.01.2020 during the course of treatment. Based on this, offence has been registered. The present applicant has been taken into custody on 18.05.2020.

5. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the case. He further submits that the deceased, after consuming poison, was alive for 9 days and during this period she has not stated against the present applicant & only on the basis of statement of father of the deceased, the present applicant has been arrested. He also submits that the applicant is in custody since 18.05.2020 and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.
6. On the other hand, learned counsel for the State opposed the bail application.
7. I have heard learned counsel for the parties and perused the record.
8. Considering the totality of the facts and circumstances of the case, quality of evidence and further considering the fact that the applicant is in custody since 18.05.2020 and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release the applicant on bail.
9. Accordingly, the bail application is allowed.
10. It is directed that the applicant shall be released on bail on his executing a personal bond for a sum of Rs.25,000/- with one solvent surety for the like amount to the satisfaction of the trial Court for his appearance before the said Court as and when directed, till the final disposal of the trial.
11. It is made clear that if the applicant has already been released on bail pursuant to the bail bonds already furnished in view of the order passed by the High Power Committee constituted in compliance of the order of the Supreme Court of India dated 23.03.2020 in the matter of **In Re : Contagion of COVID 19 Virus in Prisons** (Suo Moto Writ Petition (c) No. 1/2020), he need not furnish bail bonds afresh and the bail bonds already furnished shall be deemed to be the bail bonds furnished in compliance of the order of this

Court, but if he has not furnished the bail bonds earlier, then they will be required to furnish bail bonds within four weeks from today.

Certified copy, as per rules.

Sd/-
(Rajani Dubey)
Judge

Pekde