

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3208 of 2020**

- Smt. Premlata Khurana, W/o Shri Pyarelal Khurana, Aged about 35 years, Occupation Housewife, R/o village Malkharouda, PS & Tahsil Malkharouda, District Janjgir Champa (C.G.)

---- Applicant

Versus

- State of Chhattisgarh, Through – District Magistrate, District Janjgir Champa (C.G.)

---- Respondent

For Applicant : Mr. Abhishek Saraf, Advocate.
For Respondent/State : Mr. Ayaz Naved, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****21.07.2020**

- Heard.
- Admit.
- The accused/applicant has moved her first bail application under Section 439 of the Code of Criminal Procedure for releasing her on regular bail during trial in connection with Crime No. 284/2019 registered at Police Station– Malkharouda, District Janjgir Champa (C.G.) for the offence punishable under Section 304-B/34 of Indian Penal Code.
- According to the prosecution story, on 12.05.2019 the marriage between the deceased and Ashwani Kumar Nirala was solemnized in accordance with Hindu rites and rituals. After marriage they have started living as husband and wife. The allegation against the present applicant is that she along with other family members started harassing and torturing the deceased both mentally and physically in the name of less dowry. On that, after being harassed, on 23.10.2019 she committed suicide in her maternal house by consuming poisonous substances, she was immediately shifted at Bilaspur Apollo Hospital where, during treatment she has been declared

died. Based on that, after investigation, offence has been registered against the applicant and she has been arrested.

- Learned counsel for the applicant submits that the applicant has been falsely implicated in the aforesaid case. He further submits that the marriage was solemnized with the consent of both the family and there was no demand of dowry furthermore the present applicant is aunt-in-law of the deceased, who is living separately, so there is no question arise regarding demand of dowry and cruelty by the present applicant. He next contended that the applicant is in jail since 02.03.2020, therefore, she may be granted bail.
- On the other hand, counsel for the State opposes the bail application.
- I have heard learned Counsel for the parties.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicant, as trial is likely to take some time, without further commenting on merits of the case, I am inclined to release her on bail.
- Accordingly, the bail application is allowed.
- It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 25,000/-, with one local surety for the like amount to the satisfaction of the trial Court for her appearance before the said Court as and when directed.

Sd/-
(Rajani Dubey)
Judge

Vasant