

**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRCA No. 756 of 2020**

Ravi Kaushik S/o Krishna Kumar Kaushik, aged about 29 years R/o Village Bundela, Police Station Chakarbhata, District Bilaspur (C.G.)

**---- Applicant**

**Versus**

State of Chhattisgarh Through Station House Officer, Police Station Kota, District Bilaspur (C.G.).

**---- Respondent**

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| For Applicant  | : | Mr. U.K.S. Chandel, Advocate      |
| For Respondent | : | Mr. Sameer Sharma, Govt. Advocate |

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Hon'ble Shri Justice Arvind Singh Chandel

**Judgment on Board**

**20/07/2020**

1. The matter is heard through video conferencing.
2. The applicant has filed this application under Section 438 of the Cr.P.C for grant of anticipatory bail as he is apprehending his arrest in connection with Crime No. 226/2020 registered at police station – Kota, District Bilaspur (C.G.) for the offence punishable under Sections 376 & 506 of the IPC.
3. In this case, the Prosecutrix is a girl aged about 34 years. On 02/06/2020, she made a report alleging therein that on 07/07/2019 the applicant took her to a resort and there he committed sexual intercourse with her on the pretext of marriage. Thereafter, he refused to marry with her. On the basis of said, offence has been registered.
4. Learned counsel appearing on behalf of the applicant submits that the applicant is innocent and has been falsely implicated due to some

dispute with the Prosecutrix. He further submits that virtually there was love relation between the Prosecutrix and the applicant. If the entire case of the Prosecution is taken as it is, yet it seems that the Prosecutrix was the consenting party. He further submits that the incident occurred on 07/07/2019 and the report was lodged after 11 months, therefore, he prays to extend the benefit of anticipatory bail to the applicant.

5. Learned counsel appearing on behalf of the State opposes the said application.
6. I have heard counsel for the parties.
7. Considering the facts and circumstances of the case, argument advanced by counsel for the parties and further considering that there was love relation between the applicant and the Prosecutrix and there is delay of 11 months in lodging the FIR, without further commenting on other merit of the case, I am inclined to extend the benefit of anticipatory bail to the applicant.
8. Accordingly, the anticipatory bail application is allowed.
9. It is directed that in the event of arrest, the applicant shall be released on bail on furnishing a bond in the sum of Rs.10,000/- with one surety for the like sum to the satisfaction of the officer arresting him and he shall abide by all the following terms and conditions:
  - i. That, the accused/applicant shall make himself available for interrogation before the concerned Investigating Officer as and when required;
  - ii. The accused/applicant 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/her from disclosing such facts to the Court or to any police officer;
  - iii. The accused/applicant shall not act, in any manner,

which will be prejudicial to fair and expeditious trial; and

iv. The applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

10. Certified copy, as per rules.

**Sd/-**

**(Arvind Singh Chandel)**  
**Judge**

Rahul