

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 795 of 2020

Sanjeet Ashok Sarjare S/o Ashok Sarjare, aged about 27 years, R/o Village Nanhi, Police Station: Kurkheda, District Gadchiroli Maharashtra.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer, Police Station Ambagarh Chowki, District Rajnandgaon Chhattisgarh.

---- Respondent

For Applicant	: Mr. Punit Ruparel, Advocate.
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For Respondent/State	: Mr. Devendra Pratap Singh, Dy. A.G.
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Hon'ble Shri Justice Arvind Singh Chandel

Order On Board

31.08.2020

1. The matter is heard through Video Conferencing.
2. The applicant has filed this **First Bail Application** for grant of anticipatory bail under Section 438 of the Cr.P.C. as he is apprehending his arrest in connection with **Crime No.250/2019**, registered at Police Station: Ambagarh Chowki, District: Rajnandgaon, (C.G.) for the offence punishable under Section 498-A, 294, 323, 506 & 34 of IPC.
3. In this case there are total 04 accused persons. The Applicant herein, is the husband of the complainant namely Madhuri Sarjare, their marriage solemnized on 22.02.2019. According to the case of prosecution, on 28.12.2019, an FIR has been lodged by the complainant alleging therein that, after the marriage, she was subjected to cruelty by the present Applicant as well as other co-accused persons. It is further alleged that the Applicant and other co-accused persons also tortured and demanded dowry from her, after

that, the father of the complainant also given the Applicant Rs.12 Lakhs. Moreover, it is alleged that the present Applicant after consuming liquor committed *Maar-peet* with the complainant. Thereafter, from 25.05.2019, the complainant is residing with her parents. On the basis of said, offence has been registered.

4. Learned counsel appearing on behalf of the applicant submits that the applicant is falsely implicated in the present case. Virtually, the complainant herself doesn't wanted to live with the family members of the present Applicant, the complainant insisted the present Applicant and they resided separately. Thereafter, complainant wanted that the Applicant shall live with her as *Ghar-Jamai* along with her parents. He further submits that on 25.05.2019, she herself left the house of present Applicant, FIR has been lodged after 6 months of the incident. There are only general allegations against the present Applicant and other co-accused persons have been already granted anticipatory bail by the Sessions Court itself. He lastly submits that during counseling, the complainant didn't appear two times and the present Applicant himself wanted to reside with the complainant, therefore, he prays for grant of anticipatory bail to the Applicant.
5. Per contra, learned counsel appearing on behalf of State opposes the bail application.
6. I have heard learned Counsel for the parties.
7. Considering the facts and circumstances of the case, arguments advanced by the counsel for the parties, without further commenting on other merits of the case, in my considered opinion, it is a fit case for grant 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 personal bond in the sum of Rs. 25,000/- 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 made 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.

Sd/-

(Arvind Singh Chandel)
Judge