

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 5295 of 2020**

- Dharmendra Gendle S/o Shri Dhaniram Gendle, aged about 22 years, R/o Mini Basti Jarhabhatha, Police Station Civil Line, District Bilaspur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : The Station House Officer, Police Station – Civil Line, District Bilaspur (C.G.)

---- Respondent

For Applicant. : Shri Amit Singh, Advocate.
For Respondent. : Shri H.S. Ahluwalia, Dy. A.G.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****22/09/2020**

1. The applicant has filed this first bail application under Section 439 of the Code of Criminal Procedure for grant of regular bail as he is in custody since 25.07.2020 in connection with Crime No.527/2020 registered at Police Station : Civil Line, Bilaspur, District Bilaspur (C.G.) for the offence punishable under Sections 307, 294, 323, 324, 506, 450 read with section 34 IPC and Sections 25 & 27 of Arms Act.
2. The allegation against the present applicant is that he along with his companion entered the house of complainant armed with deadly weapon and committed maarpeet with complainant's nephew Anshu as the complainant had filed complaint against the applicant in connection with business of contraband articles running in the area. Based on this, the offence has been registered. The present applicant has been taken into custody on 25.07.2020.
3. Learned counsel for the applicant submits that the applicant

has been falsely implicated in the crime in question. He also submits that the complainant party and the applicant are the habitant of same vicinity but due to some point only the neighbour Girja and Sulochana Manikpuri made a false report, therefore, the quarrel took place between them. He also submits that the nephew of complainant sustained simple injury and there was no intention to kill him. It is next submitted that the applicant is in jail since 25.07.2020 and there is no likelihood of his case being decided in near future and, therefore, he may be released on bail.

4. On the other hand, learned State counsel opposing the bail application submits that the applicant was forcing the complainant to take back the complaint which was filed against him, he entered the house of complainant armed with deadly weapon and assaulted his nephew. He also submits that as many as 10 cases of similar nature are already pending against the applicant.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case, gravity of offence and further considering the fact that as many as 10 cases of similar nature are already pending against him, at this stage, I am not inclined to release him on bail.
7. Accordingly, his application filed under Section 439 of the Code of Criminal Procedure is rejected.

Sd/-

(Rajani Dubey)
Judge