

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7055 of 2020

- Aarti Singh W/o Pravesh Singh Aged About 20 Years R/o Village Tangermahri Balrampur, Police Station Balrampur, District Balrampur -Ramanujganj Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through Station House Officer, Police Station Balrampur, District-Balrampur-Ramanujganj Chhattisgarh.

---- Respondent

For Applicant	: Mr. Arun Shukla, Advocate.
For State/respondent	: Mr. Gurudev I. Sharan, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

03/11/2020

1. This is first bail application under Section 439 of the Code of Criminal Procedure, 1973 filed on behalf of the applicant for grant of regular bail to him as she is in custody in connection with Crime No.98/2019 registered at Police-Station-Balrampur, District-Balrampur, Ramanujganj (C.G.) for commission of the offence punishable under Sections 307 of IPC.
2. It is submitted by learned counsel for the applicant, that the applicant has been falsely implicated in this case. Because of the dispute that has taken place between the applicant and the complainant as both of

them are wives of the same person. The applicant is in jail since 1.5.2019. The investigation is also complete and the case is also pending for trial and the trial is not making any progress, hence, it is prayed that she may be enlarged on regular bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that the facts and the allegations made by the complainant is against the applicant, hence, she is not entitled for grant of regular bail.
4. I have heard the learned counsel for both sides and perused the case diary.
5. As per the prosecution case, it is alleged that on the date of incident this applicant had a quarrel with the complainant Pushpa Singh on the subject of cooking of food. It is alleged that this applicant by using of an Axe assaulting the victim and caused injury on her head, because of which she went unconscious, thereafter, she was hospitalized. The applicant did not stop after this act. She further threw the child of complainant Pushpa Singh aged about 6 years into a well, because of which she has suffered from some injuries. The charge-sheet has been filed after completion of investigation.
6. Considered on the submissions and the facts of the case. As the applicant is in jail about 1 ½ years and the trial is making no progress. Further, the applicant is a woman, therefore, I feel inclined to grant bail to the applicant in this case.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.25,000/- with one surety in

the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nisha