

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRCA No. 1825 of 2019

- Rounak Goyel S/o Ramesh Goyel, Aged About 27 Years, R/o Ward No. 16 Kharsiya, Tahsil & Police Station: Kharsiya, District Raigarh, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through - Station House Officer, Police Station Kharsiya District Raigarh, Chhattisgarh.

---- Respondent

For Applicant	: Ms. Indira Tripathi, Advocate.
For Respondent/State	: Ms. Smita Ghai, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

11/02/2020

1. The applicant has filed this 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. 377/2019, registered at Police Station Kharsiya, Distt. Raigarh (C.G.) for the offence punishable under Sections 509, 354 & 354 (d) of the IPC.
2. As per prosecution story, on 11.09.2019, the prosecutrix lodged a report in concerned police station alleging therein that the applicant who is residing behind her house used to go in front of her house when she standing outside, the applicant used to comment obscene gestures and also used to comment such obscene gestures when she gone to her meternal house situated at Mouhapali Road Kharsiya and to the market as well. On the basis of said report, offence has been registered.
3. Learned counsel appearing on behalf of the applicant submits that

the applicant is innocent and has been falsely implicated in the crime in question due to some dispute between the family members of both the parties. She further submits that after the incident, the matter was settled between the parties and now, the prosecutrix herself does not want to take any action against the applicant, she has made an affidavit in this regard and also sent an application for compromise to the concerned Police Station (Annexure A-3). Hence, it is prayed that the applicant may be granted benefit of anticipatory bail.

4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for both the parties.
6. Considering the facts and circumstances of the case, evidence collected by the prosecution, arguments advanced by both the counsel appearing for the parties and further considering the facts that after the incident, the matter was settled between the parties and now the prosecutrix herself does not want to take any action against the applicant, she has made an affidavit in this regard and also sent an application for compromise to the concerned Police Station (Annexure A-3). Without further commenting on other merits of the case, I am inclined to grant anticipatory bail to the applicant.
7. Accordingly, the anticipatory bail application is allowed.
8. 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. 20,000/- 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