

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 386 of 2021**

1. Harvinder Singh Vasier S/o Late Makhan Singh Aged About 65 Years, R/o Mig-74, Ward No.10, Vaishali Nagar, Bhilai, District Durg, Chhattisgarh. (Age Of Applicant Wrongly Mentioned In Annexure A-1.).
2. Rajinder Kaur Vasier W/o Harvinder Singh Vasier Aged About 57 Years, R/o Mig-74, Ward No. 10, Vaishali Nagar, Bhilai, District - Durg, Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh, Through : Station House Officer, Police Station - Mahila Thana, Ambikapur District - Sarguja, Chhattisgarh.

---- Respondent**MCRCA No. 460 of 2021**

- Gurpreet Singh Vasier S/o Harvinder Singh Vasier Aged About 33 Years, R/o Mig-74, Ward No. 10, Vaishali Nagar, Bhilai, District- Durg, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh, Through : Station House Officer, Police Station- Mahila Thana, Ambikapur, District- Sarguja, Chhattisgarh.

---- Respondent

For Applicants	: Mr. Siddharth Shukla, Adv.
For Respondent/State	: Mr. Devesh Verma, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****08/04/2021**

1. As both MCRCAs arise out of same crime number, they are being heard and disposed of by this common order.
2. These applications under Section 438 of the Code of Criminal Procedure have been filed by the applicants who are apprehending their arrest in connection with Crime No.

07/2021 registered at Police Station- Mahila Thana, Ambikapur, District- Sarguja (C.G.) for commission of the offence punishable under Sections 498-A, 34 of IPC.

3. Brief facts of the case is that, the marriage between applicant Gurpreet Singh Vasier and Mrs. Harshdeep Kaur Vasier (complainant) was solemnized on 29th November, 2014 as per rituals at Gurunanak Gurudwara, Vaishali Nagar, Bhilai, District-Durg in the presence of family members, herein applicants Harvinder Singh Vasier and Rajinder Kaur Vasier are the parents of applicant Gurpreet Singh Vasier. A written complaint was lodged by the complainant in which it is alleged that applicant Gurpreet Singh Vasier harassed physically and mentally to the complainant and also harassed for dowry. Further it is also alleged that the parents of applicant Gurpreet Singh Vasier, harassed and said that Ask your father to arrange the money for construction of house and the mother of applicant Gurpreet Singh Vasier abused to the complainant and demanded for ornaments. Based on this, offence was registered against the present applicants.
4. Learned counsel for the applicant submits that the present applicant is innocent and has been falsely implicated in this case. He further submits that there is two years delay in lodging the FIR and applicant and complainant had already resolved the matrimonial issues by executing the settlement agreement dated 15th July 2019 thereafter there does not remain any cause of action for lodging the instant FIR. He also submits that divorce petition has already been filed by the applicant. He further submits that parents of applicant (Gurpreet Singh) are senior citizen and applicant's father had contracted with Covid-19 on 25.01.2021 and applicant's mother was the care taker of applicant's father along with applicant Gurpreet Singh. Further it is also submitted that as per medical report there had not been significant improvement in the health of the applicant's father and applicant's mother as well is diabetic patient, therefore, the present applicants may be granted anticipatory bail.
5. On the other hand, counsel for the State however opposes

the applications for anticipatory bail.

6. After hearing counsel for the parties and considering the facts and circumstances of the case, in particular the nature of allegation against them, it is fit case to grant anticipatory bail to the applicants. Accordingly, the applications are allowed. It is directed that in the event of arrest of the applicants in connection with aforesaid crime number, they shall be released on bail on their furnishing a personal bond in the sum of Rs. 25,000/- each with one surety for the like sum to the satisfaction of the concerned arresting/ investigating officer or the Court concerned, as the case may be, with the following terms and conditions:

- (i) that the applicants shall make themselves available for interrogation before the concerned investigating officer as and when required.
- (ii) that the applicants shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts or the case as to dissuade him/her from disclosing such facts to the Court or to any police officer;
- (iii) that the applicants shall not act in any manner which will be prejudicial to fair and expeditious trial; and
- (iv) that the applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.

**Sd/-
(Rajani Dubey)
Judge**