

HIGH COURT OF CHHATTISGARH AT BILASPUR**M.Cr.C.(A) No. 375 /2021**

Dr. Gitesh Amrohit, S/o. Shri Ramadhar Amrohit, (wrongly mentioned as Lt. Ramadhar Amrohit in ordersheet), Aged About 37 Years, R/o. Ward No. 07, Sewtapara, Near Saraswati Shishu Mandir Dongargaon, District Rajnandgaon Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh, Through Police Station Mahila Thana, District Durg Chhattisgarh.

---- Respondent

For Applicant : Mr. Pragalbha Sharma, Advocate

For Respondent : Mr. Siddharth Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****22.07.2021**

1. Apprehending arrest in connection with Crime No.21/2021 registered at Police Station- Mahila Thana, Durg (C.G.) for the offence punishable under Section 498-A read with 34 of I.P.C., the applicant has preferred this application under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail.
2. As per the prosecution case, a report was made by one Ranu Yadu that she was married to the applicant on 28.02.2017, thereafter, she was subjected to torture for demand of dowry and Rs.5 Lakhs & Car was demanded and despite that unnatural sex has also been committed. Therefore, the offence has been committed.
3. Learned counsel for the applicant would submit that the date of marriage is 28.02.2017, they are living separately since 21.12.2019 and the FIR is dated 17.02.2021. It is contended that the applicant and the wife both are Doctors, they were posted in different places, there has been some ego clashing in between both the parties which would be evident from the counseling which took place. Apart from that omnibus allegations have been made, therefore, there are

chances of settlement and if the applicant is arrested that will also be completely closed. Therefore, the applicant may be enlarged on anticipatory bail.

4. Per contra, learned State counsel opposes the prayer for grant of anticipatory bail and read out the statement of the complainant.
5. The applicant has placed certain documents about the counseling which took place after the initial report was made. After going through the counseling papers which shows that omnibus allegations have been made; taking into such fact that still there are chances of settlement and no custodial interrogation would be required in the facts of this case, I am inclined to grant the benefit of anticipatory bail to the present applicant.
6. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail by the officer arresting him on furnishing a personal bond to a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions :
 - (i) that the applicant shall make himself available for interrogation before the investigating officer as and when required;
 - (ii) that the 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) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
 - (iv) that 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.