

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1975 of 2021

Devdeep Gupta, S/o. Dinesh Gupta, Aged About 18 Years, R/o. Mahashakti Chauk, Kota, Police Station & Tahsil Kota, District Bilaspur Chhattisgarh.

---- Applicant

Versus

State Of C.G., Through Police Station Sakri, Bilaspur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Raj Kumar Gupta, Advocate

For Respondent : Mr. Anmol Sharma, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

ORDER

06.07.2021

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who have been arrested in connection with Crime No.232/2020 registered at Police Station Sakri, District Bilaspur (C.G.) for the offence punishable under Section 302, 201, 120B, 34 of Indian Penal Code.
2. As per the prosecution case, the applicant Devdeep Gupta was in love relation with Tanu Dadsena, daughter of the deceased. The deceased Chandana Dadsena demanded an amount of Rs. 5 Lakhs and was objecting to roam around by children, therefore, Tanu Dadsena, Ashna Jaisal and the present applicant hatched the conspiracy and gave her sleeping tablet and thereafter strangulate her and subsequent thereto electric shocks were also given to ensure the death.
3. Learned counsel for the applicant would submit that Ashna and Tanu Dadsena has been enlarged on bail as they were juvenile. It is further submitted that no seizure has been made from the present

applicant and only on the presumption, the applicant has been arrested and the gold ornaments and mobile which was alleged to have been seized also do not belong to the deceased. Therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail. He would submit that the ornaments of the deceased were recovered at the instance of the applicant from different places from his house; therefore, the applicant may not be released on bail.
5. Perused the documents and the case diary. Perusal of the case diary shows that the applicant along-with daughter hatched conspiracy to eliminate the mother and administered sleeping pills in her tea, thereafter strangled and thereafter the daughter give the ornaments of the deceased which were recovered at the instance of the applicant.
6. Considering the nature of offence and the way it has been committed along-with the fact that after the incident the applicant and other co-accused traveled to other places and stayed in hotel along-with the other evidence available i.e. the particulars of the phone calls, I am not inclined to release the applicant on bail. Accordingly, the bail application is rejected.

Sd/-
(Goutam Bhaduri)
Judge