

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 500 of 2021**

- Abdul Majeed, aged about 67 years, son of late Mohammed Sadiq Siddiqui, Occupation Tailor, resident of Mominpura, near Nurani Masjid, Popular Gali, Ambikapur, Police Station & Tahsil Ambikapur, District Surguja (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through : The Station House Officer, Police Station Kotwali, Ambikapur, District Surguja (C.G.)

---- Respondent

For Applicant : Mr. J.K. Saxena, Advocate.
For Respondent. : Mr. Vimlesh Bajpai, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****30/06/2021**

Proceeding through video conferencing.

1. This application under Section 438 of the Code of Criminal Procedure has been filed by the applicant who is apprehending his arrest in connection with Crime No.511/2020 (as per charge sheet) registered at Police Station - Kotwali, Ambikapur, District Surguja (C.G.) for commission of the offence punishable under Section 306/34 of Indian Penal Code.
2. The prosecution case, in brief, is that the present applicant is father-in-law of the deceased. On 15.05.2020, the marriage of deceased Gajala Parveen was solemnized with co-accused Mohd. Arif Siddiqui. It is alleged that some quarrel used to take place with regard to cooking of food. On 04.09.2020, deceased Gajala Parveen committed suicide by hanging

herself in her matrimonial house. On the basis of merged inquiry, the offence under Section 306/34 IPC has been registered against the applicant and husband of the deceased.

3. Learned counsel for the applicant submits that the applicant is father-in-law aged about 67 years and he has been falsely implicated in the crime in question. He further submits that general allegations have been levelled against the present applicant. He also submits that there used to be quarrel in the family with regard to cooking of food. It is next submitted that the applicant is ready to abide by all the directions and conditions which may be imposed upon him by the Hon'ble Court while granting bail. Therefore, the present applicant may also be granted anticipatory bail.
4. On the other hand, learned State counsel opposes the application for anticipatory bail.
5. After hearing counsel for the parties and considering the facts and circumstances of the case, and further considering the fact that applicant is 67 years old and general allegations have been levelled, without commenting anything on merits of the case, this Court is of the considered opinion that it is a fit case to grant anticipatory bail to the applicant.
6. Accordingly, the application is allowed. It is directed that in the event of arrest of the applicant in connection with aforesaid crime number, he shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- 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 applicant shall make himself available for interrogation/medical examination before the concerned 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 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.

Sd/-

(Rajani Dubey)
Judge