

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 612 of 2021**

1. Indrasen Singh S/o Shivbali Singh, aged about 63 Years resident of 821, Power House Rani Bazar , Police Station and District Bikaner (Rajasthan).
2. Smt. Geeta Singh W/o Indrasen Singh, aged about 61 Years Resident of 821, Power House Rani Bazar, Police Station and District Bikaner (Rajasthan).

---- Applicants**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station Gandhi Nagar (Dehat), Ambikapur, District Surguja (Chhattisgarh).

---- Respondent**And****MCRCA No. 646 of 2021**

1. Praveen Kumar Singh S/o Indrasen Singh, aged about 41 Years, Resident of 821, Power House, Rani Bazar, Police Station and District Bikaner (Rajasthan)
2. Priyambada Singh W/o Praveen Kumar Singh (Wrongly Mentioned As Praveedh Singh) Aged About 37 Years Resident Of 821, Power House, Rani Bazar , Police Station And District Bikaner (Rajasthan).

---- Applicants**Versus**

- State Of Chhattisgarh Through The Station House Officer , Police Station Gandhi Nagar (Dehat) Ambikapur , District Surguja (Chhattisgarh).

---- Respondent**And****MCRCA No. 708 of 2021**

- Punit Singh S/o Indrasen Singh Aged About 35 Years R/o 821, Power House, Rani Bazar, Police Station And District Bikaner (Rajasthan).

---- Applicant**Versus**

- State Of Chhattisgarh Through The Station House Officer, Police Station Gandhi Nagar Ambikapur, District Surguja (Chhattisgarh.)

---- Respondent

For Applicants	:	Mr. Rishabh Singhdeo, counsel on behalf of Mr. Goutam Khetrapal, counsel.
For Respondent.	:	Mr. B.L. Sahu, P.L.

Hon'ble Smt. Justice Rajani Dubey

Order on Board

24/06/2021

1. The matter is heard through video conferencing.
2. Since, the aforesaid anticipatory bail applications arise out of the same crime number, they are being heard and disposed of by this common order.
3. 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 Number 74/2021 registered at Police Station Gandhi Nagar (Dehat), Ambikapur, District Surguja (C.G.) for the offence punishable under Section 304-B of Indian Penal Code.
4. The prosecution story, in brief, is that on 13.08.2012 the marriage of deceased Smt. Khushboo Singh was solemnized with Punit Singh (appellant in MCRCA No.708/2021) under the provision of Special Marriage Act before the competent Registering Officer, and on 09.08.2020 she committed suicide in her parental house leaving a suicide note raising allegation against her husband that "You and your family members are harassing her because of non, going to drown in a deep darkness". Based on this, offence has been registered against the present applicants.
5. Learned counsel for the applicants submits that the

applicants are innocent and have been falsely implicated in the crime in question. He further submits that the deceased was having illicit relation with the S.H.O., Bariya, and he had also prepared some obscene video of deceased, due to which the deceased committed suicide. He also submits that the S.H.O., Bariya, in connivance with the family members of the deceased obtained suicide letter and on 06.02.2021 FIR has been lodged against the present applicants. He also submits that even if the entire prosecution case is taken as it is, no offence under Section 304-B is made out. Therefore, anticipatory bail may be granted to the applicants.

6. On the other hand, learned State counsel opposing the bail applications submits that the deceased committed suicide within seven years of marriage. There is suicide note also in the case which clearly shows involvement of the applicants in the crime in question. Therefore, bail may not be granted to the applicants.
7. I have heard learned counsel for the parties and perused the material on record.
8. Marriage of the deceased Khushboo was solemnized with applicant Punit Singh in MCRCA No.708/2021 on 13.08.2012. As alleged by the prosecution, the complainant was harassed and due to which she committed suicide on 09.08.2020 i.e. after seven years of her marriage.
9. After hearing counsel for the parties and considering the facts and circumstances of the case, nature of offence and further considering the quality of evidence against the applicants, without commenting anything on merit of the case, this Court

is of the considered opinion that it is a fit case to grant anticipatory bail to the applicants.

10. 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/- - Rs.25,000/- each with one local 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/medical examination 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 of 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