

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRCA No. 991 of 2020**

1. Mekhulal @ Mekhulam S/o Late Kapil Nath Rathore Aged About 61 Years
2. Smt. Laxmi Bai Rathore W/o Mekhulal @ Mekhulam Rathore Aged About 58 Years

Both are R/o Village Birgahni, P. S. And Tahsil Janjgir District Janjgir Champa Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Station House Officer, Police Station City Kotwali, Janjgir District Janjgir Champa Chhattisgarh
2. Priyanka Rathore W/o Yogesh Rathore, Aged About 28 Years R/o Sakti, Ward No. 11 District Janjgir - Champa Chhattisgarh

---- Respondent**MCRCA No. 1255 of 2020**

- Asha Rathore W/o Kishore Rathore Aged About 35 Years R/o Village Birgahni, Police Station And Tahsil Janjgir , District Janjgir Champa Chhattisgarh

---- Petitioner**Versus**

1. State Of Chhattisgarh Through Station House Officer, Police Station , Kotwali Janjgir, District Janjgir Champa Chhattisgarh.
2. Priyanka Rathore W/o Yogesh Rathore, Aged About 28 Years R/o Sakti, Ward No. 11 District Janjgir Champa Chhattisgarh.....Non-Applcant No. 2

---- Respondent**MCRCA No. 1278 of 2020**

- Smt. Taruna Rathore W/o Rajesh Rathore, Aged About 35 Years

R/o Park City, Raigarh, P.S. And Tahsil Raigarh, District Raigarh
(Chhattisgarh)

---- **Petitioner**

Versus

1. State Of Chhattisgarh Through Station House Officer, Police Station, Kotwali Janjgir, District Janjgir-Champa (Chhattisgarh)
2. Priyanka Rathore W/o Yogesh Rathore Aged About 28 Years Resident Of Sakti, Ward No. 11, District Janjgir Champa Chhattisgarh., District : Janjgir-Champa, Chhattisgarh

---- **Respondent**

For Applicants
For Respondent/State

Mr. CJK Rao, Advocate
Mr. Alok Nigam, Government
Advocate

SB.: Hon'ble Mr. Justice Prashant Kumar Mishra

Order On Board

27/1/2021

1. Heard.
2. These are the three applications filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the applicants, who are apprehending their arrest in connection with Crime No.301/2020 registered at Police Station City Kotwali Janjgir, District Janjgir-Champa (CG) for the offence punishable under Sections 498-A & 34 of the IPC.
3. The applicants are relatives of the husband of the complainant. The complainant was married with Yogesh Rathore on 17.4.2019. In the FIR, she alleges that she was subjected to

mental and physical cruelty in connection with demand of dowry.

4. On 13.1.2021, learned counsel for the applicants had drawn attention of the Court to the document-Annexure D/1 submitting that the parties have entered into a compromise and the complainant has withdrawn the complaint. This Court has allowed time to the State Counsel to verify the statement.
5. Today, learned counsel for the State submits on instructions from the concerned IO that the complainant has settled the dispute with the members of her in-laws family as the husband and wife are willing to seek mutual divorce.
6. In view of the report of the IO and the possible settlement of the matter between the parties, I am inclined to extend the benefit of Section 438 of Cr.P.C. to the applicants.
7. Accordingly, the application are allowed and it is directed that in the event of arrest of the applicants, they shall be released on anticipatory bail on each furnishing a personal bond for a sum of Rs.50,000/- with one surety each in the like sum to the satisfaction of the Arresting Officer with the following conditions :-
 - (i) they shall make themselves available for interrogation by a Police Officer as and when required;
 - (ii) they 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 for disclosing such facts to the Court or to any Police Officer.

- (iii) they shall not influence the witnesses during pendency of the trial.

Certified copy as per rules. Sd/-

(Prashant Kumar Mishra)

Judge

Shyna