

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC (A) No. 1143 of 2021

Naveen Kumar Verma S/o Dhal Singh Verma, Aged About 32 Years, R/o Village and Post - Saja, Tahsil- Saja, District- Bemetara, Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh Through- Station House Officer, Police Station- Mahila Thana Sector-06, Bhilai, District- Durg, Chhattisgarh.

--- Respondent

For Applicant	: Mr. Praveen Dhurandhar, Advocate.
For State	: Mr. A.S. Chauhan, PL.

Hon'ble Shri Justice Parth Prateem Sahu
Order on Board

23/09/2021

Heard.

1. Applicant has filed this bail application under Section 438 of Cr.P.C. apprehending his arrest in connection with Crime No.73/2021 registered at Police Station –Mahila Thana Sector-06, Bhilai, District- Durg, (CG), for the offence punishable under Sections 498-A, 34 of the Indian Penal Code.
2. Case of the prosecution, in brief, is that complainant got married with applicant on 26.02.2019. After few days of marriage, applicant and his family members started harassing, ill-treating and treating with cruelty on account of demand of dowry of Rs.10 lac cash and Car. On 07.06.2020, she was ousted from her matrimonial house. Thereafter, written report was lodged to concerned Police Station making allegation of ill-treating, harassing and treating with cruelty on account of demand of dowry. Further applicant is having illicit relationship with her sister. Based upon report, aforementioned crime is registered against applicant and other 4 co-accused persons.
3. Learned counsel for the applicant submits that complainant from initial days of marriage has started objecting on pity things to her-in-laws, even she was having objection on talking of applicant with his family members. At no point of time, any demand of dowry as alleged in complaint has been made either by applicant or his family members. The main grievance which is reflecting from complaint is relationship of applicant with his parents and sister. After lodging of

complaint it was forwarded to Counselling Centre and both the parties appeared before Counselling Centre. Counselling proceedings is placed along-with application for taking additional documents on record. In the counselling proceeding dated 19.02.21, complainant refused to join the company of applicant without any reason. She stated that she is having grievance with her-in-laws but not much with applicant. Applicant on each date of counselling appeared and made statement that he wanted to keep the complainant and continue marital relationship with her, but she refused. Looking to the allegation and contents of complaint, applicant may be enlarged on anticipatory bail.

4. Learned State Counsel opposes the submissions made by learned counsel for applicants and submits that serious allegations have been levelled against applicant in written complaint and also in counselling proceeding, hence, applicant is not entitled for grant of anticipatory bail.
5. Heard learned counsel for the parties and perused the case diary.
6. Considering the entire facts and circumstances of the case, nature of allegation, period of marriage, statements recorded by Counselling Authority during the course of counselling of the parties, without commenting anything on merits of the case, I am inclined to grant anticipatory bail to the applicant.
7. Accordingly, anticipatory bail application is allowed and it is directed that in the event of arrest of the applicant in connection with the crime in question, he shall be released on bail by the officer arresting him on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Arresting Officer. The applicant shall also abide by the following conditions :
 - (i) that applicant shall make himself available for interrogation before the investigating officer as and when required;
 - (ii) that 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 applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that 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/-
(Parth Prateem Sahu)
Judge

Jamal/-