

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 7440 of 2021**

- Suresh Dhritlehre S/o Shri Bhagoli Ram Dhritlehre Aged About 24 Years R/o Village Parsada, Police Station Gobra Nawapara, District Raipur, Chhattisgarh

**---- Applicant (In jail)**

**Versus**

- State Of Chhattisgarh Through Police Station Gobra Nawapara, Chhattisgarh

**---- Respondent**

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| For Applicant        | : Shri Devershi Thakur, Advocate |
| For Respondent/State | : Shri BL Sahu, PL               |

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**Hon'ble Shri Justice Parth Prateem Sahu**

**Order on Board**

**15.12.2021**

1. Applicant has preferred this application under Section 439 of CrPC for grant of regular bail as he was arrested in connection with Crime No.284 of 2021 registered at Police Station Gobra Nawapara, District-Raipur, Chhattisgarh for the offence punishable under Sections 452, 354, 294, 506 of the IPC.

2. Case of the prosecution, in brief, is that, on 18.08.2021 at about 10.30 am, applicant came to house of prosecutrix, and called her. When she stated that her husband went to Raipur for his work, he entered into the house, tried to caught hold of her hand, and made an attempt to outrage her modesty. When she resisted, he left her and went away abusing her. During the course of resistance, she suffered injury on her wrist with broken bangles. Applicant also took her child aged about 3 years along with him to the shop and when she

asked applicant as to how he took her child, he again, abused her. Prosecutrix went to shop of Rukmini Nandini, which is in front of her house and called her husband and thereafter, when he came, they went immediately to Police Station for lodging report. When no action was taken, written complaint was lodged to Superintendent of Police on 18.08.2021. Based on written report, aforementioned crime was registered against applicant and he was arrested on 04.09.2021.

3. Shri Devershi Thakur, learned counsel for the applicant would submit that applicant and husband of prosecutrix are engaged in same work of Putti and white wash in residential and commercial accommodations. There is some dispute between them and therefore, false and fabricated allegations have been levelled against applicant. He also submits that there is illicit relationship between prosecutrix and applicant, when it came to knowledge of her husband, false report was lodged. It is also pointed out that FIR was registered on 04.09.2021 for the incident of 18.08.2021. There is inordinate delay in lodging FIR which *prima facie* shows that false allegations have been levelled against applicant.

4. Shri BL Sahu, learned State counsel opposing the submissions of learned counsel for the applicant, submits that date of incident is on 18.08.2021 at about 10.30 am. Immediately after the alleged incident, prosecutrix went to shop of Rukmini Nandini and made a phone call to her husband and narrated the incident. Rukmini Nandini is witness of giving phone call to husband of prosecutrix. He also submits that copy of written report is available in case diary, in which there is seal of concerned Police Station showing receipt of

complaint on 19.08.2021. Hence, submission of applicant that there is inordinate delay in lodging complaint is not correct.

5. I have heard learned counsel for the parties.

6. Taking into consideration facts and circumstances of the case, nature of allegations and conduct of applicant, as also written report lodged immediately after the incident on 19.08.2021, I do not find it to be a fit case to enlarge applicant on regular bail. Accordingly, bail application is dismissed.

Certified copy as per rules.

Sd/-  
(Parth Prateem Sahu)  
JUDGE

padma