

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1596 of 2020**

1. Ramesh Pursnani, Son of Tikamdas, aged about 63 Years,
2. Sapna Pursnani, Wife of Ramesh Pursnani, aged about 54 Years,
3. Chandani Pursnani, Wife of Sanjay Pursnani, aged about 55 Years,

All are Resident of 29/13, South Tukoganj Hotel, In Front of Princes Palace, North Mandir Road, Indore (Madhya Pradesh).

----Applicants

Versus

- State of Chhattisgarh, Through the Station House Officer, Mahila Thana, Raipur, District- Raipur (Chhattisgarh).

----Non-applicant

For Applicants	Shri Sachin Singh Rajput, Advocate.
For State	Shri Anand Verma, Deputy G.A.
For Objector	Shri Vinay Nagdev, Advocate.

Hon'ble Shri Justice Gautam Chourdiya**Order on Board****17/06/2021**

1. The matter is heard through Video Conferencing.
2. The applicants have preferred this bail application under Section 438 of Cr.P.C. as they are apprehending their arrest in connection with Crime No. 55/2020 registered at Police Station- Mahila Thana, Raipur, District Raipur, C.G. for the offence punishable under Sections 498-A/34 of Indian Penal Code.
3. As per the prosecution case, marriage of the complainant

Pratibha Pursnani was solemnized with co-accused Anand Pursnani on 09.05.2015 and soon after the marriage she was being tortured and harassed mentally and physically on different occasions by the applicants in connection with demand of dowry. On report being lodged to the above effect, the aforesaid offence has been registered against the applicants and co-accused person.

4. Learned counsel for the applicants submits that applicants are innocent persons and have been falsely implicated in this case. He submits that no assault or cruelty was committed by the applicants. He also submits that in this case co-accused Anand Pursnani has already been granted regular bail by the co-ordinate Bench of this Court in MCRC No.8144 of 2020 vide order dated 26.02.2021 and charge sheet has been filed. The applicants are ready to abide by all such conditions as may be imposed by this Court while granting anticipatory bail.
5. Learned Counsel appearing for the State as well as the Objector oppose the bail application.
6. I have heard learned counsel for the parties.
7. Considering the facts and circumstances of the case, the nature of allegation leveled against the applicants, further considering the fact the co-accused in this case has already been granted regular bail by the co-ordinate Bench of this Court, no other offence was registered against the applicants except 498-A,

charge sheet has already been filed, the applicants, who are 63, 54 and 55 years old respectively, have no criminal antecedents, though the matter is under investigation, however, no apprehension is shown by the State counsel of his absconding or tampering with or influencing the witnesses, no custodial interrogation of the applicants is required, without commenting anything on merits of the case, this Court is of the opinion that present is a fit case for granting anticipatory bail to the applicants. Accordingly, the application is allowed.

8. It is directed that in the event of arrest of the applicants in connection with the aforesaid crime, they shall be released on bail by the Arresting Officer on their furnishing a personal bond for a sum of Rs.50,000/- each with two sureties of Rs.25,000/- each to the satisfaction of the Arresting Officer. Applicants shall be released on bail on the following conditions:-

- (i) they shall make themselves available for interrogation before the Police 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 from disclosing such fact to the Court or to the Investigating Officer,
- (iii) they shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- (iv) they shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.
- (v) they shall strictly follow the COVID-19 protocol issued by the Central Government / State Government / Local Authority.

- (vi) they shall not involve themselves in any offence of similar nature in future.

Let a copy of this order be forwarded to the concerned police station forthwith who shall inform the trial Court in the event of applicants involving themselves in similar offence in future.

Sd/-
Gautam Chourdiya
Judge

Akhilesh