

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 8033 of 2020**

- Ravikant Shukla S/o Rameshwar Dayyal Shukla Aged 37 Years
Resident Of Village Pali, P.S. Pali District Korba, Chhattisgarh

---- Petitioner**Versus**

- State Of Chhattisgarh Through State Of Chhattisgarh, Through
Police Station Pali, District Korba, Chhattisgarh

---- Respondent

For Applicant	Mr. Sumit Singh, Advocate
For Respondent /State	Mr. Alok Nigam, Government Advocate

SB.: Hon'ble Mr. Justice Prashant Kumar Mishra**Order On Board****4/2/2021**

1. Heard.
2. This is an application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant, who has been arrested in connection with Crime No.149/2020 registered at Police Station Pali, District Korba (CG) for the offence punishable under Section 304-(B) 34 of the IPC.
3. The applicant was married with the deceased on 13.7.2016. She committed suicide by hanging in her matrimonial house on 8.6.2020. In the FIR, there is allegation of commission of cruelty with effect from the year 2017. The deceased gave birth to a girl

child on 5.2.2018. This delivery happened in her parental house at Lalitpur, Uttar Pradesh. Since she was not brought back to her matrimonial house and the applicant allegedly neglected to maintain her, she moved an application under Section 125 of Cr.P.C., in which, mediation proceedings were drawn in the High Court of Allahabad and eventually, a settlement was arrived at between the parties on 20.1.2020 and they reunited and started living together at Pali. On the date of the incident, the deceased was serving watermelon to her daughter Ku. Dhana, during which, her daughter started crying, which led to comments by the present applicant and her father-in-law that she is not able to take care of the child. Immediately thereafter, she went inside the bedroom and hanged herself.

4. Having seen the material available in the case diary, it appears, the immediate cause of commission of suicide is the incident which happened in the afternoon of 8.6.2020 involving her daughter and the comments/scolding by the applicant and the deceased's father-in-law.
5. Had there been any demand of dowry immediately prior to the incident, the deceased would not have returned to her matrimonial house and similarly, had there been a demand prior to January 2020, when the settlement took place, she would have lodged an FIR at her parental place for the offence under Section 498-A of the IPC. However, no previous complaint was ever lodged by the deceased when she stayed in her parental house from early part of 2018 till the settlement was arrived in.

6. The present applicant is in jail since 13.8.2020 and the charge sheet has already been filed, therefore, considering the entire facts situation of the case, this Court is inclined to release the applicant on regular bail.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his furnishing a personal bond for a sum of Rs.50,000/- with one surety in the like amount to the satisfaction of the trial Court. He is directed to appear before the trial Court on each and every date given by the said Court.
8. Certified copy as per rules.

Sd/-

(Prashant Kumar Mishra)

Judge

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