

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1658 of 2020**

- Rakesh Verma S/o Yashpal Verma, Aged About 26 Years R/o Village Salouni, Police Station Jalbandha, Tahsil Khairagarh, District Rajnandgaon Chhattisgarh.

---- Applicant**Versus**

- State of Chhattisgarh Through Police Station Khairagarh, District Rajnandgaon Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Manoj Paranjape, Advocate.
For Respondent.	:	Mr. Ghanshaym Patel, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****12.04.2021**

1. This application under Section 438 of the Code of Criminal Procedure has been filed by the applicant who is apprehending his arrest in connection with Crime No. 380/2020 registered at Police Station - Khairagarh, District Rajnandgaon (C.G.) for commission of the offence punishable under Section 498 A read with section 34 of Indian Penal Code.
2. As per the case of prosecution, the F.I.R. has been lodged by wife of the applicant against all the family member of the applicant. It was alleged that the complainant got married to applicant on 08.02.2019 and after three months of marriage the applicant and other family members started harassing the complainant for demand of dowry and even they used to assault her.

3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. He further submits that there are five accused persons in this case out of which four persons have already been granted anticipatory bail by this Court on 08.01.2021 passed in MCRCA Nos 1575/2020 & 1664/2020. He next contended that the complainant herself left the house of the applicant and now residing with her parents as she was unable to adjust herself in joint family due to which she has falsely implicated the applicant and his family members.
4. Counsel for the State however opposes the application for anticipatory bail.
5. Having seen the case diary, it appears, the complainant has straightway lodged the FIR without making any effort for reconciliation. There is no material that the parties were sent to Family Reconciliation Center for settling the matter in between husband and wife. Ordinarily, in marital dispute, the concerned police instead of registering the FIR at once, makes an effort to bring the parties to negotiating table to save the marriage, however, that does not seem to have happened in this case.
6. After hearing counsel for the parties and considering the facts and circumstances of the case, this Court is of the considered opinion that it is a fit case to grant anticipatory bail to the applicant.
7. Accordingly, the application is allowed. It is directed that in the event of arrest of the applicant in connection with aforesaid crime number, he shall be released on bail on his

furnishing a personal bond in the sum of Rs.25,000/- with one surety for the like sum to the satisfaction of the concerned arresting/investigating officer or the court concerned, as the case may be, with the following terms and conditions:

- (i) that the applicant shall make himself available for interrogation/medical examination before the concerned investigating officer as and when required;
- (ii) that the applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case as to dissuade him/her from disclosing such facts to the Court or to any police officer;
- (iii) that the applicant shall not act in any manner which will be prejudicial to fair and expeditious trial; and
- (iv) that the 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/-

(Rajani Dubey)
Judge

V/-