

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8060 of 2021**

Salu Soni W/o Pradeep Soni Aged About 30 Years R/o Bade Bhathli,
P.S. Jarhabhatha, District Mungeli CG

---- Applicant

Versus

State of Chhattisgarh through Station House Officer, P.S. Baloda,
District Janjgir-Champa, CG

---- Non-applicant

For applicant	Mr. Sumit Singh, Adv.
For non-applicant/State	Mr. Dinesh Tiwari, Dy. Govt. Adv.

Hon'ble Shri Justice N.K. Chandravanshi**Order on Board****18-11-2021**

1. As per applicant, this is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no bail application is pending before any other court.
2. The applicant has been arrested in connection with Crime No. 191/2021 registered in police station Baloda, Distt. Janjgir Champa, (CG) for offence punishable under Section 397, 302, and 120(B) of IPC.
3. Brief facts of the case are that on the suspicion that deceased Dipti Soni had extra marital affairs with some one, her husband co-accused Devendra Soni in collusion with co-accused Pradeep Soni and present applicant, hatched a conspiracy to murder Dipti Soni, and in furtherance of the conspiracy, on 14-6-2021 when deceased was going with her husband Pradeep Soni in a car, the accused persons murdered the deceased by strangulation and to show it an incident of loot, co-accused Devendra Soni informed police about murder and loot. During investigation, it was revealed that mobile phones of main accused Devendra Soni and deceased, after taking out their SIM, were given to co-accused Pradeep Soni and present applicant for destroying. Both the mobile phones have been seized at the instance of applicant in damaged condition. Based on above facts, police registered offence against the accused persons.
4. Learned counsel for the applicant argued that the applicant has been

falsely implicated in this case. She has not participated in any manner in commission of crime. He also argued that no incriminating articles have been seized from possession of the applicant. She is in jail since 17-6-2021 and carrying about 2 months' child with her in jail. Charge sheet has already been filed. Conclusion of trial is likely to take considerable time. Hence , he may be released on bail.

5. On the other hand, the State Counsel opposed the bail application and submitted that applicant is a part of conspiracy for murdering the deceased Dipti Soni. She has played active role in the crime, at her instance, stones used in commission of crime and one damaged mobiles of the deceased and one damaged mobile phone of main accused have been seized. Looking to above facts, the bail application may be rejected.
6. I have heard counsel for both the parties and perused the case diary and the material available on record.
7. Considering the facts and circumstances of the case, nature and gravity of the offence, active role played by the applicant in commission of the crime, also taking into consideration that at the instance of the applicant, damaged mobile phones of deceased and main accused are said to have been seized from the applicant, I do not feel inclined to allow this bail application.
8. Consequently, the bail application is rejected.

Sd/-
(N.K. Chandravanshi)
Judge