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HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCa No. 1727 of 2020**

1. Dipak Deb (Wrongly Mention Dipak Dev In A/1) S/o Kamal Krishna Aged About 80 Years R/o Sudha Apartment, Flat No. 197, J.N. Bose Near The Subhashgram Rail Gate, Kolkata Police Station Sonarpur, South, West Bengal.
2. Sandhya Devi W/o Dipak Deb (Wrongly Mention Dipak Dev In A/1) Aged About 70 Years R/o Sudha Apartment, Flat No. 197, J.N. Bose Near The Subhashgram Rail Gate, Kolkata Police Station Sonarpur, South, West Bengal.
3. Madhumita Dey (Wrongly Mention Madhumati In Impugned Order) W/o Sanjoy Dey Aged About 40 Years R/o Club Town Garden, Block - 7, Flat No. 1b, 12 M M Feeder Road, Ariadaha, Police Station Belgharia, District North 24 Parganas, West Bengal. (Wrongly Mention Sudha Apartment 197 J N. Bose Subhasgram Near Rail Gate Kolkatta Sonarpur, South West Bengal In Impugned Order)
4. Manu @ Basona @ Gayatri (Not Mention In P/01) W/o Ramen Aged About 46 Years R/o K.M.D.A. Ph 2, Flat No. MIG 814 Mohanpur (CT), Sewli Teleni Para, Police Station Titagarh, District North 24 Parganas, West Bengal, (Wrongly Mention Sudha Apartment 197 J N Bose Subhasgram Near Rail Gate Kolkatta Sonarpur, South West Bengal In Impugned Order).

---- Applicant

Versus

- State Of Chhattisgarh Through Women Police Station, Raipur, District Raipur Chhattisgarh

---- Non-Applicant

For Applicant : Shri Hemant Kesharwani, Advocate.
For Non-Applicant : Miss Akshara Amit, Panel Lawyer.

Hon'ble Shri Justice Prashant Kumar Mishra**Order On Board****25/02/2021 :**

1. The applicants have preferred this application for grant of anticipatory bail as they apprehend their arrest in connection with Crime No.14/2020, registered at Police Station Women Police Station Raipur, District Raipur for offence punishable under Section 498-A/34 of the IPC.
2. Falguni Deb, son of applicants No.1 & 2 namely, Dipak Deb and Sandhya Devi and brother of applicants No.3 & 4 namely, Madhumita Dey & Manu @ Basona @ Gayatri, was married with complainant Sushmita Deb on 30.1.2019. It is alleged that during her stay with her in-laws at Kolkata, they mentally harassed her by demanding fridge, LED TV, Four Wheeler & AC just after 2 days of the marriage and this continued for the entire period i.e. upto 19th July, 2019. Her husband Falguni had a job in the USA, but the complainant had to leave her job at Pune so that she can find new job in the USA, but after reaching USA, she found that her husband is a quiet person and was not talking to her. Dispute between them aggravated and she had to be admitted in the hospital on 9.12.2019 during which the husband did not attend her and finally she returned to Raipur on 30.12.2019 and lodged the FIR on 4.2.2020.
3. It is argued that the applicants are relatives of the husband of the complainant. They have not stayed with the complainant since after 19th July, 2019. The complaint has been lodged after she failed to secure job and pull on well with her husband. As long as she was in India, she did not lodge any report against the applicants.
4. Per contra, learned State Counsel would oppose the prayer for grant of anticipatory bail. According to her, the complainant was subjected to mental as well as physical cruelty at all points of time, therefore, the applicants are not entitled to be released on anticipatory bail.
5. Having considered the nature of allegations, delay in lodging the complaint and for the fact that the applicant No.1 Dipak Deb is aged about 80 years, applicant No.2 Sandhya Devi is aged about 70 years,

and applicants No.3 & 4 namely, Madhumita Dey & Manu @ Basona @ Gayatri are married sister-in-laws of the complainant residing separately from her, I am inclined to release all the applicants on anticipatory bail.

6. Accordingly, the application is allowed and it is directed that in the event of arrest of the applicants, they shall be released on anticipatory bail on each of them executing a personal bond for a sum of Rs.50,000/- with one surety in the like sum to the satisfaction of the arresting officer with the following conditions:-

- (i) they shall not influence the witnesses during trial.
- (ii) they shall make themselves available for interrogation by a police officer as and when required;
- (iii) 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 facts to the Court or to any police officer.

Sd/-
Judge
(Prashant Kumar Mishra)

Barve