

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1748 of 2020**

- Narendra Kumar Khandekar, S/o. Shri Mahadev Khandekar, Aged about 30 years, Ro. Ward No.1, Prem Nagar, Dipka, District Korba at present R/o. village Devrikhurd, PS Torwa, District Bilaspur Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer Masturi, District Bilaspur Chhattisgarh

---- Respondent

For Applicant	: Shri Dheerendra Pandey Advocate
For Respondent/State	: Shri Samir Sharma, Dy. GA

Complainant is present through VC.

Hon'ble Smt. Justice Rajani Dubey
Order On Board by virtual hearing

08/06/2021

This is an application filed under Section 438 of the Code of Criminal procedure for grant of anticipatory bail to the applicant, who is apprehending his arrest in connection with Crime No. 278/2020 registered at Police Station Masturi, district Bilaspur (CG) for the offence punishable under Sections 498-A , 294 and 506/34 of the IPC.

Case of the prosecution in brief is that marriage of the complainant and applicant was solemnized on 05.07.2017 and soon after marriage, the applicant used to harass her mentally and physically as a result of which, once she tried to commit suicide by consuming phenyl. It is alleged that the complainant was not

conceiving and therefore she was subjected to cruelty by the husband.

Contention of the counsel for the applicant is that the applicant have been falsely implicated in the present case. He further submits that the matter has now been settled outside the court and they are now residing together and therefore he may be granted bail.

On the other hand, learned counsel for the State opposes the bail application.

Complainant is present and she submits that since they are residing together and the matter has been settled outside the Court, she has no objection if the applicant is granted bail.

Having heard counsel for the parties and considering the totality of the facts, in particular, the nature of allegations against the applicant and that the matter has been compromised and they are residing together, this Court is of the view that it is a fit case to grant anticipatory bail to the applicant. Accordingly, the application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail on his executing a personal bond in sum of Rs. 25,000/- with one surety 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