CGHC010317572026 2026:CGHC:45635

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRCA No. 1370 of 2026

Avinash Mongare S/o Late Tirathram Mongare Aged About 38 Years R/o Indira Colony, Near Water Tank, Tarbahar, Bilaspur, District - Bilaspur (C.G.)

... Applicant(s)

versus

State Of Chhattisgarh Through Police Station Mahila Thana, Bilaspur, District - Bilaspur (C.G.)

... Respondent(s)

For Applicant	:	Mr. Shrijan Pandey, Advocate
For State	:	Mr. Pranjal Shukla, Panel Lawyer

S.B.: Hon'ble Shri Parth Prateem Sahu, Judge

Order On Board

28/10/2026

1. Applicant has filed this application under Section 482 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short "*BNSS*") for grant of anticipatory bail as he is apprehending his arrest in connection with Crime No.48 of 2026 registered at Police Station- Mahila Thana, Bilaspur, District- Bilaspur (CG) for offence punishable under Sections 85, 296, 115 (2), 3 (5) of the BNS.

2. Case of the prosecution in brief is that the applicant and the

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complainant were married on 24.04.2026 in accordance with social rites and customs. It is alleged by the complainant that after the marriage, the applicant and his sister, namely Chhaya, demanded dowry of approximately Rs. 4,00,000/- to Rs. 5,00,000/- and subjected the complainant to physical and mental cruelty on account of the said demand. They allegedly quarrelled with her over dowry and other domestic issues, abused her, and physically assaulted her. She approached the Pariwar Paramarsh Kendra for resolution of the matrimonial dispute; however, the matter could not be settled. Consequently, she approached the police authorities, leading to the registration of the present FIR.

3. Learned counsel for the applicant submits that applicant has been falsely implicated in the crime. He has not committed any such offence. Complainant is the wife of applicant and has made allegation of mental and physical harassment as also allegation of demand of dowry which is false and baseless. He also contended that pursuant to order date 20.08.2026, applicant has also deposited a sum of Rs.1 lakh to be paid to complainant/wife which he has deposited.

4. On the other hand, learned counsel for the State opposes the submission of learned counsel for the applicant and submits that there is specific allegation of harassment and assault against the applicant . However, upon putting specific query with regard to date on which assault is made or the nature of injury suffered by complainant he submits that there is no specific mention of

date of assault but the act of applicant for demand of dowry.

5. I have heard learned counsel for the parties and perused the documents available on record.

6. This Court vide order dated 20th August 2026 granted ad- interim bail to applicant recording as under :

> "Considering the facts and circumstances of the case, 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 executing a personal bond with one surety in the like sum to the satisfaction of the Arresting Officer, till the next date of listing."

7. While granting ad-interim bail, this Court has also directed applicant to deposit Rs.1 lakh, which, as stated by learned counsel for the applicant, is deposited and it is also appearing from the receipt forming part of record issued by the Mediation Centre, High Court of Chhattisgarh, Bilaspur.

8. In the above facts of the case, ad interim bail granted to the applicant vide order dated 20.08.2026 is made absolute on the same terms and conditions.

9. According to order dated 20.08.2026, applicant has to deposit Rs.1 lakh, to be paid to complainant/wife on her appearance before the Mediation Centre, but the record would show that on the date fixed before the Mediation Centre, complainant-wife did not appear. Thereafter, vide order dated 05.10.2026, this Court further directed to learned State counsel to inform the

complainant about the order passed by this Court of sending the case before the High Court Mediation Centre for appearance of complainant on 12.10.2026 and further Registry was also directed to send the matter before Mediation Centre fixing the date of appearance of parties on 12.10.2026. Report of Mahila Thana, Bilaspur addressed to office of Advocate General is available in record in which it is mentioned that on 09.10.2026 the notice server went to house of complainant on which the complainant refused to accept notice and thereafter notice was affixed on her house. Pursuant to order issued by this Court, office of Advocate General has also written letter to Superintendent of Police Bilaspur on 07.10.2026 based upon which letter was written with service report, as discussed above.

10. In the above facts of case, when complainant is not complying with the order passed by this Court even after receipt of notice, I find it appropriate to direct the Mediation Centre of High Court of Chhattisgarh to return back the amount of Rs. 1 lakh deposited by the applicant.

11. With the aforesaid observation and direction, this bail application is disposed off.

Certified copy as per rules.

Sd/-
(Parth Prateem Sahu)
Judge

Praveen