CGHC010370672026 2026:CGHC:44322

NAFR

HIGH COURT OF CHHATTISGARH AT BILASPUR

MCRC No. 9181 of 2026

Deepak Kumar Khande @ Cheri S/o Onkar Prasad Khande Aged About 26 Years R/o Ward No. 15, Charan Nagar, Champa, P.S. Champa, District Janjgir-Champa (C.G.). **... Applicant**

versus

State Of Chhattisgarh Through Police Station Civil Lines, Bilaspur, District Bilaspur, (C.G.). **... Non-applicant**

For Applicant	**:**	Mr. Pragalbha Sharma, Advocate
For Non-Applicant/State	**:**	Mrs. Ankita Shukla, Panel Lawyer

Hon'ble Shri Justice Rakesh Mohan Pandey

Order on Board

13/10/2026

1. This is the first bail application filed by the applicant under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS) for grant of regular bail. The applicant is in custody in connection with Crime No. 800/2026, registered at Police Station – Civil Lines, Bilaspur, District Bilaspur (C.G.), for the offence punishable under Section 108 of the Bharatiya Nyaya Sanhita, 2023.

2. The case of the prosecution, in brief, is that the deceased, aged about 23 years, was residing in a rented room at Jarhabhatha, Bilaspur, preparing for competitive examinations. She was in a relationship with

the applicant. It is alleged that between 16.05.2025 and 20.03.2026, monetary transactions took place between them, and the applicant stayed in her room until the evening of 20.03.2026. After he left, the deceased made repeated calls to him, which he allegedly avoided, thereafter, the deceased committed suicide by hanging herself in her room on 21.03.2026. On the basis of the inquest enquiry and call detail records, the offence under Section 108 of the BNS was registered against the applicant and during the course of investigation, he was arrested.

3. Learned counsel appearing for the applicant submits that the applicant is innocent and has falsely been implicated in the crime. It is submitted that the essential ingredients of abetment as defined under Section 45 of the BNS are conspicuously absent in the present case. There is no material on record to demonstrate that the applicant instigated or provoked the deceased to take the extreme step. It is further argued that the investigation is complete, the charge-sheet has already been filed, the applicant has no criminal antecedents, and he has been in judicial custody since 11.06.2026, therefore, the applicant may be enlarged on regular bail.

4. On the other hand, learned counsel appearing for the State vehemently opposes the bail application and submitted that the applicant and the deceased were residing together between 19.03.2026 and 20.03.2026, during which frequent quarrels took place and the deceased was subjected to severe mental distress. It is further contended that after leaving her room, the applicant deliberately evaded her calls as evident from the Call Detail Records showing that she attempted to contact him as many as 38 times between 19:06 hours and 23:59 hours on 20.03.2026, which pushed her into mental depression and instigating her to take the extreme step of committing suicide; thus, the applicant is not entitled to be enlarged on bail.

5. Heard learned counsel for the parties and perused the case diary.

6. Having considered the rival submissions, and taking into account the fact that there is no prima facie material showing direct instigation or act of abetment by the applicant within the meaning of Section 45 of the BNS, and further considering that the investigation has concluded, the charge-sheet has been filed, the applicant has no criminal antecedents, and has been in jail since 11.06.2026, without commenting on the merits of the case, this Court is inclined to grant regular bail to the applicant. Accordingly, the bail application is **allowed**.

7. It is directed that in the event of the applicant executing a personal bond for a sum of **Rs.50,000/-** with one surety in the like sum to the satisfaction of the concerned trial Court, he shall be released on bail, on following conditions :-

(i) he 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 fact to the Court,

(ii) he shall not act in any manner which will be prejudicial to fair and expeditious trial, and

(iii) he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

The observation made hereinabove is for the purpose of deciding this bail application only, the trial Court shall decide the case on its own merits.

Sd/-

Rakesh Mohan Pandey

JUDGE

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