



2026:CGHC:10521

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NAFR**HIGH COURT OF CHHATTISGARH AT BILASPUR****MCRCA No. 154 of 2026**

Rajendra Tondan S/o Rajesh Tondan Aged About 33 Years R/o Ward No. 3,
Sai Nagar, Usalapur, Police Station- Sakri, District- Bilaspur, (C.G.)
...Applicant

versus

State Of Chhattisgarh Through- S.H.O. P.S.- Sakri, District- Bilaspur (C.G.)
... Respondent

For Applicant : Mr. Chitendra Singh, Advocate.

For Non-Applciant/State : Ms. Ritika Verma, Panel Lawyer.

Hon'ble Shri Ramesh Sinha, Chief Justice**Order On Board****28.02.2026**

1. The applicant has preferred this application under Section 482 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of Anticipatory Bail, apprehending his arrest in connection with Crime No.40/2026, registered at Police Station – Sakri District – Bilaspur (C.G.) for the alleged commission of offence punishable under Sections 74, 296, 333, 351(2), 324(1) of the BNS.



2. The prosecution story, in brief, is that, on 15.01.2026 the victim submitted a written complaint at Police Station Sakri, District Bilaspur (C.G.), alleging that on 13.10.2025 at about 8:20 PM, the accused, Rajendra Tandon @ Rinku Tandon, who is the husband of the Councillor of Ward No. 03 and was known to her for the past two years, came in front of her house in an inebriated condition and abused her, insisting that she talk to him on the phone. Out of fear, she did not disclose the incident to her husband. It is further alleged that on 15.10.2025 at about 2:00 PM, when her husband was not at home, the accused again came to her house, asked her to open the door, and started abusing her. Thereafter, he allegedly entered the house, expressed that he liked her and questioned why she did not talk to him on the phone, caught hold of her hand, and pulled her towards him. When she raised an alarm, the accused allegedly closed her mouth with his hand and threatened to kill her and her husband if she shouted or disclosed the incident to anyone. He is also alleged to have used obscene and filthy language and to have damaged the latch of the gate before leaving the spot. It is stated that nearby persons witnessed and heard the incident. Due to shame and fear, the victim did not immediately inform her husband; however, upon feeling humiliated, she later narrated the incident to him. Thereafter, the victim along with her husband approached the police station and lodged the complaint. On the basis of the written complaint and prima facie finding of the occurrence, Crime No. 40/2026 was registered against the applicant for offences punishable under Sections 74, 296, 333, 351(2), and 324(1) of the Bharatiya Nyaya Sanhita, 2023, and the matter was taken up for investigation.



3. Learned counsel for the applicant submits that the applicant has neither committed any offence nor participated in the commission of the alleged crime. It is contended that there existed a consensual relationship between the complainant/victim and the applicant, which is evident from the WhatsApp chats dated 16.10.2025 and the photographs dated 16.04.2024 and 09.11.2024, collectively filed as Annexure A/3, and that such documentary and electronic evidence clearly falsifies the allegations of force or deception. It is further submitted that the FIR has been lodged after an inordinate and unexplained delay of about three months, which casts serious doubt on the prosecution story. Learned counsel also submits that the complainant and her husband were continuously raising illegal monetary demands from the applicant, pursuant to which certain amounts were paid through online mode, copies whereof are filed as Annexure A/4, and that the present FIR is a consequence of the applicant's refusal to meet such unlawful demands. It is further submitted that although the applicant had one previous criminal antecedent bearing Crime No. 498/2024 registered at Police Station Sakri, District Bilaspur (C.G.), he has been acquitted along with other co-accused by the learned J.M.F.C., Bilaspur, vide judgment dated 11.06.2025 (Annexure A/5). It is contended that custodial interrogation of the applicant is not necessary as the case is primarily based on oral evidence and witness statements, and that his arrest would cause irreparable harm to his reputation and personal liberty. The applicant is a permanent resident of the address mentioned in the cause title, possessing movable and immovable properties, and there is no likelihood of his absconding or tampering with evidence. He



undertakes to furnish adequate surety and to abide by all terms and conditions that may be imposed by this Hon'ble Court while granting anticipatory bail.

4. Learned State Counsel opposes the application and submits that the allegations against the applicant are serious in nature. It is contended that the applicant, in an intoxicated condition, abused the victim, criminally trespassed into her house, used obscene language and, caught hold of her hand with sexual intent, and threatened to kill her and her husband, besides causing damage to the property, thereby attracting the offences registered under the relevant provisions of the Bharatiya Nyaya Sanhita, 2023. It is further submitted that the delay in lodging the FIR has been properly explained on account of fear and shame, and that witnesses have supported the prosecution case. Therefore, considering the gravity and sexual nature of the allegations, the applicant is not entitled to anticipatory bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, the nature and gravity of the offence, and the material available on record, it appears that the applicant is alleged to have criminally trespassed into the house of the victim when her husband was not present, used obscene and abusive language, committed acts amounting to sexual assault by catching hold of her with sexual intent, and extended threats to kill her and her husband, besides causing damage to the property. The allegations disclose a serious offence affecting the dignity and safety of a woman within the confines of her home. The delay in lodging the



FIR has been prima facie explained by the victim on account of fear, shame, and intimidation. At this stage, without commenting on the merits of the case, this Court is of the considered view that, in view of the seriousness of the accusations and the specific role attributed to the applicant, it is not a fit case to grant the discretionary relief of anticipatory bail. Accordingly, the application is rejected.

7. Accordingly, the anticipatory bail application of the applicant – **Rajendra Tondan**, involved in Crime No.40/2026, registered at Police Station – Sakri District – Bilaspur (C.G.) for the alleged commission of offence punishable under Sections 74, 296, 333, 351(2), 324(1) of the BNS., is **rejected**.

Sd/-

(Ramesh Sinha)
Chief Justice